

Town of Chenango Town Board Agenda Wednesday, December 14, 2022 - 5:00 PM Town Hall / Community Room

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1.	PLEI	DGE OF ALLEGIANCE	
2.	ROL	L CALL	
3.	Guest less. T profar	N FORUM s shall speak in an orderly fashion and are limited to remarks of five (5) times minutes or the speaker shall deliver their comments or concerns in a civil tone and without the use of pairty, personal attacks, or other disruptive behavior which may result in the offender's real from the meeting. The speaker shall not be interrupted except in a matter of urgency.	
4.	PUB	LIC HEARINGS	
5.	PRE	SENTATIONS	
6.	DEP	ARTMENT REPORTS / SUPERVISOR REPORT / ATTORNEY REPORT	
	6.1.	Town Engineer • Peer Review Update and Trophy Point Update 001-MEMO-engineering WS 2022 12 15	4 - 10
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Resolution	introducing	all o	n water	meter	rates	12.14.22
Water Mete	er Fees Loca	ıl Lav	(003)			

8.	COM	MUNICATIONS				
9.	OLD BUSINESS					
	9.1.	CF Fire Company Contract for 2023 CF Fire Budget for 2023	22			
	9.2.	Code of Ethics (continued from 12.7.22) 2022.11.08 TOC Proposed Code Update 2014.03 Ethics Policy	23 - 48			
10.	NEW	BUSINESS				
	10.1.	Department Head Evaluations Department Head Evaluation Form	49 - 50			
	10.2.	AOT Rules of Order AOT Sample Rules of Order	51 - 58			
	10.3.	Complaint Policy/Procedure				
11.	FYI -	TOWN SUPERVISOR				
	11.1.	2023 Annual Town Board Resolutions 2023 Resolutions	59 - 89			
	11.2.	 Board members, Department Heads, Consultants - Agenda deadline for submission is 12:00pm on the Friday before Town Board meetings. 				
		• Resolutions are reviewed 2 weeks in advance of the action taken. Be sure to submit your requests with ample time for the process.				
		 Please forward all reports, documents, and back-up materials to the Supervisor's office to the attention of Amy MacLeod and cc: Town Clerk and Supervisor. 				
12.	FUT	URE BOARD TOPICS				
	12.1.	Town Board Projects	90 - 93			
13.	Guest less. T profar	N FORUM s shall speak in an orderly fashion and are limited to remarks of five (5) times minutes or the speaker shall deliver their comments or concerns in a civil tone and without the use of city, personal attacks, or other disruptive behavior which may result in the offender's ral from the meeting. The speaker shall not be interrupted except in a matter of urgency.				

14. MEETING AND PUBLIC HEARING REMINDERS

- December 21st Town Board Meeting, 5:00pm
 - December 27th ZBA Meeting, 7:00pm
 - December 28th Town Board Meeting, 5:00pm
 - January 11th Town Board Meeting, 6:00pm

15. ADJOURNMENT

12/14/2022 WORK SESSION



106 Main Street Suite #4 Windsor, NY 13865 607.760.6545 IGINEERING. PLLC alex@urdaengineering.com Department Head Engineering



From: Alex Urda, P.E. - Engineer for the Town

DISCUSSION ITEMS:

- 1. Wastewater Conveyance and Treatment Improvements Project: 3rd Party Technical Review Per the Board's direction at the 12/7/22 Work Session, as a result of no proposals received in this last round of requesting, we are posting advertisement again requesting proposals for a 3rd Party Technical Review of the project(s) Tuesday, 12/13/22 in the Binghamton Press & Sun Bulletin. This round will indicate an 'open ended' completion date of the work to be done sometime in 2023, date to be set by consultant. (Advertisement Attached)
- 2. Zoning Map: I am refining the reporting on the parcels with split zones and adding figures to go with them. The intent is to provide this information for further review at the 12/21/22 work session.
- 3. The URDA 2023 Contract Proposal is attached for review in anticipation of being contracted for another year. We appreciate the opportunity to work for the Town and with the Town Staff and Town inhabitants and would like to continue to do so for many more years. Thank you.
- 4. OTHER?

End.

ADVERTISEMENT REQUEST FOR PROPOSALS-REVISED

TOWN OF CHENANGO 1529 NYS Route 12 Binghamton, NY 13901

WASTEWATER CONVEYANCE AND TREATMENT IMPROVEMENTS PROJECT

REQUEST FOR PROPOSALS - REVISED

Notice is given that the Town of Chenango is seeking to retain a Professional Engineering firm specializing in wastewater treatment and conveyance system design, licensed in New York, to provide a third-party, Technical Review of the Town's WASTEWATER CONVEYANCE AND TREATMENT IMPROVMENT PROJECT (split into two contracts per below).

The project was bid for construction previously and all bids rejected. Prior to rebid for construction, a technical review is desired of the two sets of contract documents:

- 1. Plans/Contract Documents as previously bid for the "Northgate Wastewater Treatment Plan Improvements" (Contract No. 1)
- 2. Plans/Contract Documents as previously bid for the "Sanitary Sewer Collection System Improvements" (Contract No. 2)

Technical review will include, at a minimum, a professional review of design completeness (also any shortcomings or overdesign) of the project relative to the

- 1. Preliminary Engineering Report
- 2. Design RFP for Engineering Consultant
- 3. Engineering Consultant Contract for design
- 4. Code compliance

COMPLETION DEADLINE TO BE SET BY CONSULTANT SELECTED WITHIN 2023.

Review of construction cost estimating is NOT required (it is under separate contract)

Proposals are requested by the Town of Chenango for the project. Proposals will be received for a single prime Contract based on a lump sum basis. Proposals will be reviewed based on a scoring matrix of qualifications and fee. The Contract will be awarded to the most qualified, responsible, lowest Bidder based on the matrix.

RFP Documents will be available electronically by request starting **Tuesday**, **December 13**, **2022** after 2:00 PM local time. The Issuing Office is:

Town of Chenango Town Clerk, 1529 NYS Route 12, Binghamton, NY 13901 Monday – Friday 8:00 AM to 4:00 PM

Phone: (607) 648-4809 x3

Prospective firms may examine printed copies of the Proposal Documents at the Issuing Office during the hours indicated above. They may obtain Proposal Documents electronically from the Town Clerk.

Proposals will be received via email until 2:00 PM local time **Friday**, **January 10**, **2023** per the RFP instructions. Proposals submitted by fax will not be accepted.

The Town of Chenango reserves the right to waive irregularities and to reject any or all proposals.



December 6, 2022

Mrs. Jo Anne Klenovic, Town Supervisor Town of Chenango 1529 NY Rt. 12 Binghamton, NY 13901

Re: Annual Contract Engineer for the Town 2023

Dear Mrs. Klenovic:

Urda Engineering, PLLC (URDA) is pleased to be given the opportunity to submit this contract to you to provide part time engineering services to assist the Town of Chenango (Town). I, Alexander N. Urda, registered Professional Engineer in the State of New York, of Urda Engineering, PLLC propose to furnish services as URDA for the Town of Chenango on a fixed fee basis, plus reimbursable expenses, as well as out of scope reimbursable services at our hourly rates. Note: The fee reflects an increase from 2022 based on evaluation of 2022 hours-to-date and projected workload for 2023. It amounts to approximately 15 more hours of time annually. The annual Town budgeted base amount for engineering for 2023 was adjusted to reflect this. Hourly and reimbursable expense rates have also been updated.

SCOPE OF SERVICES

Based on our discussions and review of our anticipated 2023 duties as URDA for the Town of Chenango, it is my understanding that you are requesting engineering services for completion of the following scope of services:

PART 1 - ENGINEERING SERVICES

The following is a general listing of Professional Engineering services provided within the annual base fee, unless otherwise noted, and is not all inclusive.

A. General Services

- 1. Coordination with and assistance to the Town departments (Water Department, Highway Department, Public Works, Town Clerk, Town Attorney, etc.)
- 2. General storm drainage investigations including reporting, field observations, and general recommendations at request of highway superintendent.
- 3. Assist department heads with meetings with residents regarding complaint reports (water system, sanitary sewer system, storm sewer system, etc.).
- Maintain table and graphs of water system master meter readings.
- 5. Capital project planning assistance with department heads.
- 6. Review of Broome County Highway maps (map updates, project planning, etc.) and NYSDOT highway and bridge reports. Interface with responsible parties on road projects and Town impacts and integration.
- 7. Attend meetings as directed by the Town Board. Anticipated are:
 - a. BMTS
 - b. BC Flood Task Force
 - c. TMDL program
 - d. Hazard mitigation with county

B. Planning Board and Zoning Board of Appeals

- Case Reviews
 - a. Site Plan Review (see "Reimbursable Services" for additional fee items)
 - b. Simple Subdivision Plan Review (see "Reimbursable Services" for additional fee items)
 - c. Advisory Reviews for Planning Board Advisor to Z.B.A.
- Attend regular Planning Board Meetings at one per month.

C. Town Board

- 1. Attend Town Board Work Sessions, scheduled for the 2nd and 4th Wednesdays of the month. Engineer shall provide a written report to the Board outlining all current projects and any pertinent due dates related to the same at each work session URDA is required to attend.
- 2. Meetings with the Broome County Department of Health and NYS Department of Conservation as may be required under the normal course of Town Business. Special meetings relating to particular projects will be in accordance with the reimbursable section herein.
- 3. Update and prepare regular reviews of Public Works, zoning, sanitary sewer regulations, Ordinance Department, building inspections, etc.
- 4. Report to Town Board on special meetings as required (ex. Association of Towns, BMTS, BTSC).

D. Town Mapping

Mapping shall include any necessary minor revisions (non-survey based) for maintenance, and/or minor corrections of the existing district mapping and system mapping:

- 1. Zoning Minor single parcel revisions/updates only.
- 2. Water Districts
- 3. Sanitary Sewer Districts
- 4. Lighting Districts
- 5. Election Districts
- 6. Speed Zones
- 7. Aguifer Protection Zones
- 8. Water Well and Tank Schematic

Any new district mapping/description will be billed as reimbursable services.

E. Reimbursable Services (Outside the annual base fee) as Authorized by the Town Board

- 1 Municipal Separate Storm Sewer System (MS4) program coordination and compliance.
 - a. Broome Tioga Stormwater Coalition (BTSC) meeting attendance (typically quarterly meetings) held at Town of Union or Town of Chenango.
 - b. Annual MS4 program reporting completed and submitted to the NYSDEC.
 - c. Updates to the MS4 Stormwater Management Program (SWMP) plan.
- Illicit Discharge program outfall monitoring and sampling.
- 3. Preliminary Reports New Utilities (Map, Plan, and Report including estimates)
 - a. Proposed new water districts.
 - b. Proposed water storage tanks.
 - c. Proposed new sanitary sewer districts.
 - d. Proposed major storm drainage projects requiring bidding
- 4. SEQR Review Meetings
 - a. Meeting attendance.
 - b. Detailed SEQR application review (detailed full EAF, scoping, DEIS, EIS, etc).

- c. Preparation of Environmental Assessment Forms for Town projects.
- 5. Special Planning Board Meeting attendance (project review and comment letter is under general scope)
- 6. Comprehensive Plan meetings separate from regular Planning Board meetings.
- 7. Major project site plan reviews which have had 'review fees' established (ex. MS4 SWPPP review, etc.).
- 8. Mapping and sketches, short EAFs for grant applications.
- Draft sketches and descriptions for easements.
- 10. Major subdivision reviews to include Planning Board Review, Construction Inspections, approval and acceptance letters, SEQR reviews, MS4 SWPPP reviews, etc., when "review fees" have been established.
- 11. Code compliance reviews: building/parcel inspection for unsafe/condemnation conditions and letter report.
- 12. Legal Issues/Legal Case professional support.
- Other items for reimbursement established between the Town and URDA for review of capital work projects designed by other consultants or engineers, special projects, i.e. preliminary designs, SPDES, preliminary applications, audit and control reports, and similar type development work.
- 14. Completion of detailed project plans, specifications, bidding documents, and bidding assistance for Town projects in which the estimated project dollar value dictates that the project requires competitive bidding in accordance with the Municipal Law of the State of New York.
- 15. Flood grant paperwork, project estimating and sketches, filings, coordination, and meeting attendance, including NY Rising program support.
- 16. Travel and expenses (mileage for Part 1.E listed items, printing, postage, contracted services, etc.).
- 17. New district mapping/descriptions (zoning, water, sewer, light, etc.)

PART 2 – TOWN RESPONSIBILITIES

A. Provided by the Town

It is requested that the Town continue to provide and regularly update several documents for URDA to assist with Engineer for the Town duties.

- 1. Municipal Code for the Town of Chenango (electronically)
- 2. Chapter 73 Zoning (electronically)
- 3. Town's Comprehensive Plan
- 4. NY State supplements (hard copy) to the 2021 New York State Building Code (as adopted by New York State and any updates).

Also, as noted in the request for proposals, Professional Liability Insurance for Town project work will be covered by the Town.

COMPENSATION

URDA anticipates completion of the Scope of Services for the following fees.

Scope Item
Part 1 -ENGINEERING SERVICES

Fee

- A. General Services
- B. Planning Board and Zoning Board of Appeals
- C. Town Board
- D. Town Mapping

PART 1, A, B, C, and D

Fixed Fee plus reimbursable expenses \$36,300.00

E. Reimbursable Services – At hourly rates and expense rates listed below unless otherwise negotiated.

Additional engineering services not set forth within the Scope of Services of this agreement are excluded from URDA's services. However, they may be requested and this agreement amended by written request from the Town, accepted and signed by both the Town and URDA.

Additional engineering services are typically compensated at the rates specified below unless negotiated otherwise:

Professional Engineer:

\$130.00/hour

Project Designer:

\$85.00/hour

Survey Technician* (Field Rate)

\$140.00/hour (field topo at state wage rate)

Survey Technician* (Office)

\$85.00/hour (office rate)

Administrative Assistant

\$60.00/hour

*Non-PLS support

REIMBURSABLE EXPENSES

In addition to the fees quoted above, normal and customary expenses will be billed to the Town at the actual cost, or as designated below. Reimbursable expenses include, but are not limited to, all printing and reproduction, regular and express mail packaging and postage, and mileage.

Specific Expense Rates:

Mileage:

\$0.65 per mile.

In-house Printing:

\$0.20 per 8.5x11 sheet; \$2.50 per 22x34 sheet

Outside services/expenses*:

Cost +10%

*(examples: USPS postage, Dataflow printing, shipping/mailing costs, report binders)

Association of Towns NYC Training: Town will provide half of the projected costs of attendance. Costs for professional credits received will be at the sole expense of Engineer.

INSURANCE and INDEMNIFICATION: URDA shall maintain the following insurance for the duration of the Agreement and, on all policies other than professional liability, name Town as an additional insured on a primary, non-contributory basis. URDA shall provide to the Town certificates of insurance evidencing compliance with the insurance requirements below. During the term of this Agreement and for a period of three (3) years thereafter, Engineer agrees to maintain and provide evidence of continuous professional liability insurance coverage in the amounts stated below:

- General Liability: \$1M each occurrence and \$2M aggregate a.
- Automobile Liability: \$1M
- Workers' Compensation: Statutory, not less than \$1M
- Professional Liability: \$1M per claim and \$2M aggregate

The Town and URDA agree to indemnify, defend, and hold the other harmless, and their respective officers, employees, agents and representatives from and against liability for all claims, losses, damages and expenses, including reasonable attorney's fees, to the extent such claims, losses, damages or expenses, are caused by the indemnifying party's negligent acts. In the prosecution of any successful lawsuit by the Town or URDA for the enforcement of this indemnification provision, the losing party agrees to pay the winning party's reasonable attorney's fees and any costs of the suit incurred therein. Each party shall ensure that all of their respective consultants, contractors, and subcontractors provide the other party with the same indemnification.

RELATIONSHIP: The relationship between URDA and the Town is that of an independent contractor. Accordingly, URDA must conduct itself in conformance with the independent contractor relationship, and may not hold itself out or claim to be an officer or employee of the Town. URDA must secure its own insurance, retirement membership or credits, where applicable. URDA shall assume all obligations and duties of an independent contractor.

SCHEDULE OF PAYMENT

The Town will be billed monthly. The amount will be based on the fixed fee amount of \$36,300 spread evenly over twelve (12) months (\$3,025.00/month), plus reimbursable expenses and services. Invoices are due upon receipt and are considered past due thirty (30) calendar days after the postmarked date.

Past due accounts will result in stoppage of work until the account is made current. Project documents may be withheld or withdrawn if there is a past due balance. Amounts past due thirty (30) calendar days after the postmarked date of invoice shall bear interest at 1.5 percent per month. The Town shall pay URDA for all expenses, including reasonable attorney's fees, incurred in collecting any past due payments and interest thereon.

LIMIT OF LIABILITY: URDA's liability for claims arising from this agreement related to the negligent acts of URDA shall be limited to the limits set forth in the INSURANCE and INDEMNIFICATION section

WAIVER: The Town and URDA mutually agree to waive all claims of consequential damages arising from disputes, claims, or other matters relating to this agreement.

GOVERNING LAW; JURISDICTION; VENUE: This Agreement, including without limitation, any disputes arising out of or relating to this Agreement, shall be governed by the laws of the State of New York, without regard to its conflict of law provisions. Engineer and Town hereby submit to the exclusive jurisdiction of the state and federal courts located in the County of Broome, State of New York with respect to any legal proceedings arising out of this Agreement.

SEVERABILITY: If any provision of this Agreement is ruled invalid in an arbitral or judicial proceeding, such finding shall not affect the validity of any other provision or this Agreement as a whole, which shall remain in full force and effect.

This proposal represents the entire understanding between the Town and URDA with respect to this contract for engineering services and may only be modified in writing signed by both parties.

I trust that I have accurately responded to your request. Please feel free to contact me if you have any questions or concerns. This proposal will become contractual by signing in the Town signature area. Please have the Town Clerk forward to my office a copy of this document signed, and a copy of the resolution accepting this agreement.

I appreciate the opportunity to continue to provide my services to the Town of Chenango as Engineer for the Town. Thank you for considering Urda Engineering, PLLC.

Sincerely, Urda Engineering, PLLC	TOWN SIGNATURE/ACCEPTED BY:
My N. Orden	
Alexander N. Urda, P.E Engineer for the Town	(Signature)
Owner/Professional Engineer	
_	Jo Anne Klenovic, Supervisor
cc: Town Board	(Printed Name, Title) (Date)
Town Clark	

FM3522 Urde Costrael 2022 12 06.doc

PUBLIC WORKS UPDATES

- Stackable stone was ordered off state contract for the banks at Wolfe Park. I am getting quotes to install the stone, install of the foundation for the bridge, and installing of the actual bridge structure.
- The bill for the fabrication and assembling of the bridge was paid directly by Broome County. This will be deducted from the grant that the Town received for the park.
- Outstanding bills remaining are
 - 1. Broome County for the steel beams.
 - 2. Delta Engineering for the engineered stamp on the bridge design.
 - 3. Stone bill.

Assessor's Progress report as of December 8, 2022 Prepared for the work session of December 14, 2022

Since my last report, the office has been busy processing Senior Exemptions and answering general tax questions. About half of the Senior Exemption applications (94/190) have been processed so far. The "normal" mailing for exemption renewals should go out at the end of this month. Non-Profit, Forest, and Agricultural exemption holders will be asked to renew. Senior and Disabled exemption applications should be made by appointment.

During the fall months, folks tend to wrap up construction projects as best they can before winter weather arrives. Any new construction is hopefully buttoned up so they can work on the inside rather than on the outside. For me, that means more valuations can be completed.

On November 9, I was informed that proceedings were moving forward regarding a Solar Energy project in the Town of Chenango. I was previously notified that the Broome County IDA was charged with negotiating a PILOT agreement. That letter was given to me on or about February 24, 2022, authored by Broome County Attorney Robert Behnke. Please see the image below.

John Endress, Assessor



State of New York County of Broome Government Offices

Broome County Attorney's Office
Jason T. Garnar, County Executive - Robert G. Behnke, County Attorney

RECEIVED

February 22, 2022

-R 5 4 1072

TOWN OF CHEMANSION

Christopher Strond Chief Operating Officer Cipriani Energy Group Corp. 125 Wolf Road, Suite 312 Colonic, New York 12205

Re: Solar Energy Project

Dear Mr. Stroud:

I have received a copy of a letter to you from Dr. David Gill of the Chenango Valley School District. According to this letter, it appears that your company plans to develop a solar project in the Town of Chenango. Should this project qualify for a fax exemption pursuant to Real Property Fax Law, Section 487, Broome County will require that your company enter into a payment in her of taxes agreement.

This letter is intended to comply with the County's sixty-day notice requirement under Roal Property Tax Law, Section 487. If you have any questions, please feel free to contact me

Very Iruly Yours

Robert G. Behnke Broome County Attorney

RGB ams

.c Michael Decker

Cherango Valley School District

Town of Chemango

John Endress, Assessor /

Broome County Office Building · 60 Hawley Street · P.O. Box 1766 - Binghamton, New York 13902 Phone: (607) 778-2117 · Fax (607) 778-6122 · Email: belaw@co-broome.ny.us

RESC	HIC	TION	NO	
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RESOLUTION APPROVING FIREMAN APPLICATIONS

The Town Board of the Town of Chenango, duly convened in Regular Session, December 14, 2022, does hereby RESOLVE as follows:

SECTION 1. WHEREAS, the Chenango Fire Company has proposed the following membership of **Adam Hofmann**, and

WHEREAS, the required certificates have been received, and

WHEREAS, this **Board** has carefully considered this application, now therefore, it is hereby

SECTION 2. RESOLVED, that **Adam Hofmann** from Chenango Fire Company is hereby approved as a member of the respective fire company, effective immediately.

Offered by:

Seconded by:

CERTIFICATION

I, Lizanne Tiesi-Korinek, do hereby certify that I am the Town Clerk of the Town of Chenango and that the Foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Chenango at a meeting thereof held at Town Hall, 1529 NY RT 12, Binghamton, NY on this 14th day of December 2022. Said resolution was adopted by the following roll call vote:

Supervisor, Jo Anne Klenovic Councilperson, Frank Carl
Councilperson, Jim DiMascio Councilperson, Gene Hulbert, Jr. Councilperson, Dave Johnson
Town of Chenango Seal
Dated: December 14, 2022
Lizanne Tiesi-Korinek Town Clerk, Town of Chenango

Town of Chenango

Resolution No.

Resolution Authorizing Budget Transfer for Crane Truck

At a regular meeting of the Town Board of the Town of Chenango, held on the 14th day of December, 2022, the following resolution was offered and seconded:

WHEREAS, the Town Board wishes to allocate \$12,000.00 from Highway to Sewer in recognition of the Highway Department taking control of the Sewer Department's crane truck; and

WHEREAS, the Highway Department's budget line DA5130.200 has adequate available budgeted dollars to allow for this transfer to occur and no budget modification is needed; and

WHEREAS, the Board after due deliberation wishes to memorialize this transfer.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Town Bookkeeper to execute any and all financial transactions needed to effectuate such transfer; and

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

CERTIFICATION

I, Lizanne Tiesi-Korinek, do hereby certify that I am the Town Clerk of the Town of Chenango and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Chenango at a meeting thereof held at Town Hall, 1529 NY RT 12, Binghamton, NY on this 14th day of December, 2022. Said resolution was adopted by the following roll call vote:

Supervisor Jo Anne Klenovic	
Councilperson David Johnson	
Councilperson Gene Hulbert Jr	
Councilperson Frank Carl	
Councilperson Jim DiMascio	_
Town of Chenango Seal	
Dated: December 14, 2022	
Lizanne Tiesi-Korinek	
Town Clerk of the Town of Chenango	

Resolution Authorizing Use of ARPA Funds for Change Orders for Kelly Road Culvert Replacement Project

At a regular meeting of the Town Board of the Town of Chenango, held on the 14th day of December, 2022, the following resolution was offered and seconded:

WHEREAS, the Town Board authorized certain change orders on the Kelly Road Culvert Project in the amount of \$24,584.00; and

WHEREAS, the Town Board has previously discussed the use of American Rescue Plan Funds for such change orders; and

WHEREAS, the Board after due deliberation wishes to memorialize the use of ARPA funds for the previously authorized project.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the Town Bookkeeper to execute any and all financial transactions needed to effectuate the use of ARPA funds for the project; and

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

Offered by:

Seconded by:

CERTIFICATION

I, Lizanne Tiesi-Korinek, do hereby certify that I am the Town Clerk of the Town of Chenango and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Chenango at a meeting thereof held at Town Hall, 1529 NY RT 12, Binghamton, NY on this 14th day of December, 2022. Said resolution was adopted by the following roll call vote:

Supervisor Jo Anne Klenovic
Councilperson David Johnson
Councilperson Gene Hulbert Jr
Councilperson Frank Carl
Councilperson Jim DiMascio
Town of Chenango Seal
Dated: December 14, 2022
Lizanne Tiesi-Korinek Town Clerk of the Town of Chenango
TOWILCIER OF THE TOWN OF CHEHANDO

RESOLUTION AUTHORIZING ACQUISITION OF 15 WOODLAND ROAD

At a regular meeting of the Town Board of the Town of Chenango, duly convened in Regular Session, December 14, 2022, does hereby RESOLVE as follows:

WHEREAS, the Town of Chenango has been approached by Visions Federal Credit Union to receive 15 Woodland Road in the Town of Chenango (Tax Map No. 112.22-1-24); and

WHEREAS, the Town Public Works Department has expressed interest in future use of the property for access to water infrastructure; and

WHEREAS, the Town Board finds it in the best interest of the Town to accept receipt of the property for zero dollars and all recording costs and expenses shall be paid by Visions Federal Credit Union; and

WHEREAS, according to 6 NYCRR 617.5 (c) (26), a lease renewal is a Type II action for the purposes of the State Environmental Quality Review Act ("SEQR") and does not require an environmental review; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chenango via the Chenango Town Supervisor be and hereby is authorized to execute any and all necessary legal documents to acquire the aforementioned property of Tax Map No. 112.22-1-24, together with all improvements, personality, and fixtures for the zero dollars; and

RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

I, Lizanne Tiesi-Korinek, do hereby certify that I am the Town Clerk of the Town of Chenango and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Chenango at a meeting thereof held on this 14th day of December, 2022. Said resolution was adopted by the following roll call vote:

Supervisor Jo Anne Klenovic
Councilperson David Johnson
Councilperson Gene Hulbert Jr.
Councilperson Frank Carl
Councilperson Jim DiMascio
Town of Chenango Seal
Dated: December 14, 2022
Lizanne Tiesi-Korinek Town Clerk of the Town of Chenango
Town of Chenango Seal Dated: December 14, 2022

Town of Chenango

Resolution No).
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Resolution Appoint Administrative Assistant (Towns)

At a regular meeting of the Town Board of the Town of Chenango, held on the 14th day of December, 2022, the following resolution was offered and seconded:

WHEREAS, the Town Board hired Amy MacLeod on a conditional basis to the position of Administrative Assistant (Towns); and

WHEREAS, Amy MacLeod received an adequate score on the relevant civil service test to qualify for full employment as Administrative Assistant (Towns); and

WHEREAS, the Board after due deliberation wishes to appoint Amy MacLeod as Administrative Assistant (Towns).

NOW, THEREFORE BE IT RESOLVED that Amy MacLeod is no longer a conditional employee of the Town and is hired as Administrative Assistant (Towns); and

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

CERTIFICATION

I, Lizanne Tiesi-Korinek, do hereby certify that I am the Town Clerk of the Town of Chenango and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Chenango at a meeting thereof held at Town Hall, 1529 NY RT 12, Binghamton, NY on this 14th day of December, 2022. Said resolution was adopted by the following roll call vote:

Supervisor to Anne Klenovic	
Councilperson David Johnson	
Councilperson Gene Hulbert Jr	
Councilperson Frank Carl	
Councilperson Jim DiMascio	
Town of Chenango Seal	
Dated: December 14, 2022	
Lizanne Tiesi-Korinek	
Town Clerk of the Town of Chenango	

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

At a regular meeting of the Town Board of the Town of Chenango, held on the 14th day of December 2022, the following resolution was offered and seconded:

WHEREAS, a Local Law entitled "A LOCAL LAW AMENDING THE TOWN CODE REGARDING WATER METER FEES", was introduced at this meeting, a copy of which is attached hereto, and

WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Town Board of the Town of Chenango with respect to the adoption of the aforesaid Local Law on January 11, 2023 at 6:00 p.m., or as soon thereafter as the matter may be heard, at Town Hall, 1529 NY RT 12, Binghamton, New York; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Offered by:

Seconded by:

CERTIFICATION

I, Lizanne Tiesi-Korinek, do hereby certify that I am the Town Clerk of the Town of Chenango and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Chenango at a meeting thereof held on 14th day of December 2022. Said resolution was adopted by the following roll call vote:

Supervisor Jo Anne Klenovic Councilperson Gene Hulbert Jr. Councilperson Frank Carl Councilperson Jim DiMascio Councilperson David Johnson	
Town of Chenango Seal	
Dated: December 14, 2022	
Lizanne Tiesi-Korinek Town Clerk of the Town of Chenango	

Town of Chenango

Local Law No. 8 of the year 2022

A LOCAL LAW AMENDING THE TOWN CODE REGARDING WATER METER FEES

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

- Section 1. Section 71-27 entitled "Rate schedule" shall be amended as follows:
 - B. (3) As set forth in §19-3 Fee schedule under "Water and Sewer Connection Fees."
- <u>Section 2</u>. Section 19-3 entitled "Fee schedule" under "Water and Sewer Connection Fees" shall be amended as follows:

Add: Meter Charge \$300

Section 3. 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 4. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

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.



Chenango Forks Fire 2023 Budget

Truck Maintenance	\$ 5,574.02
Radio Upgrade	\$ 3,616.83
Heat	\$10,846.17
Fuel (additional fuel surcharge)	\$ 6,027.18
Insurance (Not including new NYS requirement)	\$10,489.14
Building Upkeep	\$ 9,746.94
Elec	\$ 7,926.09
Med	\$ 3,616.83
Chiefs/Operations	\$47,900.57
Training	\$ 3,344.19
Capital Replacement Fund	\$11,146.94
NYS Cancer Coverage (NYS Mandated)	\$ 4,713.28
Total	\$124,948.18
;	
Barker	\$47,479.36
Fenton	\$34,984.79
Chenango	\$24,989.14
Greene	\$17,492.40
Total	\$124,945.69



TOWN OF CHENANGO DEPARTMENT HEAD EVALUATION FORM

Employee Name:	Job Title:
Date of Evaluation:	Supervisor: Board Liaison:
Competency	Employee Rating
Communication: Employee expresses thoughts clearly in was positive manner in all forms of communication; responds discontinuous communication.	_ 11
Problem Solving / Decision Making: Employee demonstration involves others as appropriate, demonstrates ability to resolve	The state of the s
Building Trust: Employee demonstrates ability to keep condeadlines; exhibits integrity and honesty with colleagues ar ability to be open to views of others; takes responsibility for resolution.	d customers; demonstrates
Conflict Resolution: Employee demonstrates ability to resolution directly involved; demonstrates active listening skills; focus blame.	
Teamwork: Employee demonstrates ability to work as par perspective and expertise of others; looks for opportunities	
Customer Services Oriented: Employee demonstrates stroorientation with the ability to provide clear consistent info demonstrates ability to handle difficult customers; delivers professional way.	mation and service; Excellent
Work Experience: Accreditations, licensing or other require Expert level of performance in areas of job purpose (missic department specific tools.	

Job Knowledge, Skills and Abilities I	Rating	Employee Rating
Describe employee's job knowledge skills and abilities as it re	lates to the position.	ExcellentSatisfactoryNeeds ImprovementNot Applicable
Education, course training or other advancements achieved of position.	luring the past year in this	ExcellentSatisfactoryNeeds ImprovementNot Applicable
Department budget in good status, foresees future needs, ex and financial planning.	hibits fiscal responsibility	ExcellentSatisfactoryNeeds ImprovementNot Applicable
Sets goals and objectives for his/her personal growth and emdirection.	ployees under his/her	Excellent Satisfactory Needs Improvement Not Applicable
Official records and documents are maintained in compliance regulations.	e with federal, state, local	ExcellentSatisfactoryNeeds ImprovementNot Applicable
Appropriate and adequate information is provided in a timele and Board.	y manner to the Supervisor	ExcellentSatisfactoryNeeds ImprovementNot Applicable
Ensures Town policies, procedures and work rules are adhere	ed to within department.	ExcellentSatisfactoryNeeds ImprovementNot Applicable
Describe employee's <u>unique skills</u> important to the position/	department.	
Goals or objectives for improvement:		
Evaluator's Comments:	Employee's Comments:	,
Supervisor's Signature	Board Liaison's Signature	
Employee's Signature	Date	

To: Board

From: Supervisor

Re: Meeting Format

Date: 12.8.22

Please review the attached portion of the AOT Town Law Manual, Chapter 3, Town Board Meetings and Public Hearings. I believe this information will be valuable for our discussion related to changes proposed in our meeting format, schedule and efficiency. It's a very good overview of some of the issues we face as well as a reference for special circumstances, budget and organizational meetings and executive sessions. Use as you see fit. JWK

Chapter 3 TOWN BOARD MEETINGS AND PUBLIC HEARINGS

- § 3-1. Location. Town board meetings must be held within the territorial limits of the town (see Town Law § 62[2]). If the law provides for a joint meeting of two or more town boards, for example, in establishing a joint fire district, the meeting must be held in a town represented at the meeting. Finally, a few individual towns have authority from the state Legislature via special act to hold town board meetings outside the town.
- § 3-2. Access. Under the Americans with Disabilities Act (ADA), local government programs must be accessible to individuals with disabilities, and all new construction or alterations to buildings after Jan. 26, 1992, must provide the disabled with access. The New York State Uniform Fire Prevention and Building Code contains similar requirements for all new buildings and reconstruction. Furthermore, Public Officers Law § 103(b) requires a public body to make all reasonable efforts to hold meetings in facilities that permit barrier-free access to the physically handicapped.
- § 3-3. Frequency. Town boards in towns of the first class must hold at least one meeting per month (see Town Law § 62 [2]). There is no statutory requirement regarding how often a town board must meet in towns of the second class, but it should meet regularly enough to attend to town business.

§ 3-4. Types of Meetings.

A. Regular meetings. There is no statutory definition for what constitutes a "regular" meeting. Generally, the town can think of a regular meeting as a meeting that they would normally hold. For example, the phrase might refer to meetings established by the town board for a

fixed time and place throughout the year, such as "7:00 p.m. on the first Monday of each month in Town Hall."

- B. Special meetings. A town supervisor may, on his or her own, call a special meeting at any time by giving the other town board members at least two days' written notice specifying the time and place of the meeting. Alternatively, if two town board members submit a written request for a special board meeting, the supervisor must schedule a special meeting within 10 days of the request (see Town Law § 62[2]). Business conducted at a special meeting held without two days' notice is valid as long as all the councilmembers had actual notice of the meeting, attended and participated (see 1980 Op. Atty. Gen. [Inf] 109; 18 Op. St. Comp. No. 442]).
- **C. Budget meetings.** Town boards must meet within the timeframes specified by statute regarding the tentative budget, preliminary budget and final budget. For more information on these dates and the budget process please refer to Chapter 4 in this manual.
- D. Organizational meeting. The organizational meeting refers to a meeting held in the beginning of the year where, generally, the town board appoints officers, authorizes contracts and conducts a plethora of other business in order to get the town government organized to function throughout the year. Although there is no statutory requirement that towns hold an organizational meeting, one should be held as soon as possible after the New Year begins. Organizational meetings may be a special town board meeting or as part of a regularly scheduled meeting (see Op. St. Compt. No. 82-145). For a list of matters that should be considered and more information on the organizational meeting, please refer to the Association of Towns' publication "First Meeting of the New Town Board."

E. Work sessions. Some towns designate certain meetings as "work sessions" or "informal meetings" because the board has no intention of voting on any matter or taking any action. Significantly, there is no statutory reference to "work sessions" or the like, and any gathering of a quorum of a public body for the purpose of conducting public business is a "meeting" that is open to the public and requires notice, whether or not there is an intent to take action and regardless of the manner in which a gathering may be characterized (see *Orange County Publications v. Council of the City of Newburgh*, 45 NY 2d 947 [1978]).

§ 3-5. Notice.

- A. Town board meetings: Notice of the time and place of a meeting must be conspicuously posted in at least one public location (e.g., the town clerk's bulletin board) and given to the news media at least 72 hours before any meeting scheduled at least a week in advance (see Public Officers Law § 104 [1]). Where a meeting is scheduled less than a week in advance, notice to the news media and public posting must be done to the extent practicable (see Public Officers Law § 104 [2]). For further information on notice requirements, please refer to the Association of Towns' Town Clerk Manual.
- B. Public hearings: It is imperative to check the statute that calls for a public hearing and follow the procedure prescribed by that statute. For example, the town needs to hold a public hearing before adopting a local law, and Municipal Home Rule Law §20 (5) requires the notice be published in a newspaper of general circulation in the town at least five days in advance of the public hearing. However, the notice required for public hearings on other matters may differ, depending on what the statute requiring the public meeting says.

§ 3-6. Agendas. Although many town boards prepare

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agendas for meetings, they are not required to by statute. If a town chooses to use an agenda, it should do so in accordance with the rules of procedure adopted by the town board or with past practice if not otherwise addressed.

- § 3-7. Meeting Packets. Public Officers Law, §103 (e) requires towns, upon request and that have the capability to do so, to make available before the meeting information that will be discussed during the meeting and is provided to town board members in advance of the meeting, including but not limited to proposed resolutions, proposed policies and proposed local laws. Foil fees may be charged for these packets. In addition, if the town maintains a regularly and routinely updated website and utilizes a high-speed Internet connection, such records must be posted on the website to the extent practicable as determined by town prior to the meeting.
- § 3-8. Meeting Procedure. The town board may determine its own rules of procedure (see Town Law § 63), which should also be made known to the public. For sample rules of procedure adopted by other towns, please contact the Association of Towns. In the absence of a set of formal rules of procedure, longstanding practice may govern (see Op St Comp No. 81-417; OML- AO-2852).
- § 3-9. Voting and Quorum. Every question shall be voted on with an "aye" and "no/nay" with the names of the members present and their votes entered in the meeting minutes. Voting by proxy, telephone or affidavit is prohibited, and town board members must be physically present in order to vote. A quorum of the town board, that is, a majority of the entire town board must be present to conduct business (in other words, three members out of a five-member board) (see Town Law, §63; General Construction Law, §41). A majority vote of the fully constituted board, regardless of vacancies, absences or abstentions, is required to approve any action (see id). There are some exceptions where more than a straight majority may be required for example, a

supermajority of the town board is required to override a county planning board's recommendation pursuant to General Municipal Law, §239-m. Always check with the town attorney where questions arise regarding the vote required to carry any action.

§ 3-10. Role of Town Clerk. The clerk must attend every meeting and keep a written record of all proceedings of the board even though he or she is not a member of the board and does not have a vote on matters coming before the board. If, for some reason, the clerk or the deputy town clerk is not present, the town board may designate someone, other than a town board member, to act as deputy town clerk and take minutes (see Town Law § 30[10]).

§ 3-11. Role of Town Supervisor; Deputy Supervisor.

A. The town supervisor presides at all town board meetings. In the supervisor's absence, the deputy supervisor acts as the presiding officer; however, if there is no deputy supervisor or the deputy is not present, the town board members present may designate one of their members to act as temporary chairperson. Please note that the deputy supervisor has no authority to vote unless he or she is also a town board member. In that case, he or she votes by virtue of his or her position as a councilmember, not as deputy supervisor.

B. The supervisor is a member of the town board and like any other member of the town board must vote on matters before the town board. There is a common misconception that the supervisors vote acts as a tiebreaker or carries more weight; however, this is not true. The supervisor's vote carries no more or less weight than any other vote and is counted the same as any other town board member.

Sample Rules of Order Association of Towns of the State of New York

Resol	ution Adopting Rules of Order of the Town Board of the Town of
When	reas, Town Law § 63 provides that the Town Board may determine the rules of its procedure;
,	Therefore Be It Resolved that the following Rules of Order be and the same are hereby adopted ant to Town Law § 63:
Rules	of Order of the Town Board of the Town of
1.	The Supervisor shall preside at all meetings of the Board and shall preserve order and decorum in debate.

- 2. The Supervisor, immediately following the opening of every regular meeting of the Board, shall proceed to the regular order of Town business as follows: reception of petitions and other communications addressed to the Town Board, reports of committees, reports of officers and departments and introduction of resolutions and motions.
- 3. **Public Hearings**: It shall be the duty of the Supervisor to preside at all general or special business hearings to instruct all persons addressing the Board to state their names and addresses and to request those in favor of the proposal before the Board to speak first and those in opposition to speak last. At such hearings the Board may by special rules prescribe the time to be allotted to each speaker and the number of times each speaker may speak.
- 4. At the **close of the public hearing** as provided for in paragraph 3 above, the Supervisor may grant any member of the general public in attendance at such meeting a reasonable opportunity to be heard on any question or subject in which the Town or its government is concerned.
- 5. Every resolution or **motion must be seconded** before being put to a vote by the Supervisor and all resolutions or motions shall be recorded in their entirety in the official minutes of the Town Board.
- 6. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.
- 7. No motion or resolution may be brought to a vote except by the majority consent of those present, unless printed or typewritten copies thereof are presented to each member of the Board 48 hours prior to the opening of the meeting at which such motion or resolution is offered.
- 8. **No member shall speak more than once** on any questions until every member choosing to speak shall have spoken, nor more than twice in any case without leave of the Board.
- 9. When a question is **under debate**, no motion shall be entertained unless (a) for an adjournment or recess, (b) for the previous question to lay on the table, (c) to postpone to refer to a committee, or (d) to amend. These latter motions are neither amendable nor debatable.
- 10. No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.
- 11. A majority vote of all the members of the Board shall be required to suspend these rules of order. A majority of the Board shall constitute a quorum.

- 12. If the above stated rules are or become at any time in conflict with the statutory law, the statutory law shall take precedence.
- 13. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a town board meeting.
- 14. Any persons speaking to the Board with the consent of the Supervisor shall address their remarks to the Board, not to other members of the audience in the form of a debate.

UPDATED AS OF DECEMBER 9, 2022	12.14.22 12.21.22	1.11.23
PROJECT / DISCUSSION	POTENTIAL AGENDA DATE	ACTION / RESOLUTION
Broome County Projects		
*North Otsinengo Dog Park	Spring 2023	
*Northgate Plaza	TBD	
Building & Fire Safety		
*Records Retention	TBD	
Business/Supervisor/Bookkeeper		
*CF Fire Co - replacement contract/Budget increase	12/14/2022	
a.) Public Hearing for 2023 Budget Increase	12/21/2022	
Castle Creek U.S.P.O.		
a.) Resolution for Ground Lease	TBD	Authorize use of property
Dept. Head Evaluations	12/14/2022	
DPW - Greg Burden		
*Drinking Water Study - Applewood / Maplewood	TBD	
*Wolfe Park Project - \$75,000 Grant Awarded to TOC!		
*Parking Lot Lights	TBD	
*Purchase Generators for WWTP	TBD	
*I-81N Exit 6 Front Street Water Main Replacement	TBD	
*Proposed Local Law Regarding Water Meter Fees		
a.) Public Hearing for LL Water Meter Fees	1/11/2023	6:00pm
*Acquisition of 15 Woodland Rd	12/14/2022	

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Ethics Code Policy Update	12/14/2022	
a.) Resolution to Approve Ethics Code/Policy	12/21/2022	
Flood Mitigation		
*HMPG Grant	Submitted 5/31/22	
*Smith Hill Drainage Project 2023	TBD	
*Frederick Rd Study	TBD	
*Wallace Rd Study	TBD	
Highway Dept.		
*Resolution to Purchase DPW Crane	TBD	
*Request to Abandon portion of Mill Rd.	12/21/2022	
Historian for Town		
*Town Museum Updates / Activities	TBD	Written Report Only
Ordinance Dept.		
*Zoning - CB Properties - Local Law 6-2022	ТВД	
a.) Urda Engineering Zoning Map	12/14/2022	
b.) Nadine Bell	TBD	
c.) Resolution to Approve LL 6-2022	TBD	
d.) Hidden Hollow Campground	ТВД	
*3rd Party Inspections	TBD	
*Zoning for Self-Storage Facilities	TBD	
*Premises Identification Program	TBD	
*Solar Farms - Review Legislation	TBD	
*Ordinance Software	12/21/2022	Gavin will provide update
Safety Committee		
*Building Security	TBD	
a.) Broome County Security Review	TBD	
*Evacuation Plan	TBD	

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"ADA Accessionity	IBD	
Staff		
*AOT Conference Training		
a.) Bus Trip Confirmation	Deadline 1/11/2023	
*Comp Time Policy	Jan. 2023	
*Highway Dept. Staff Vacancies	TBD	
a.) Heavy Equipment Mechanic / Shop Supervisor	TBD	
b.) Resolution for Auto Mechanic Helper Position (Union)	TBD	Negotiate w/ Union
Technology		
*Agenda Software Demonstration	12/21/2022	
*Computer Training w/ Agenda Software	TBD	
*Issue laptops to Board members	TBD	
*Improved Audio Technology in Community Room	1/11/2023	
Town Board Functionality		
*AOT Rules of Order	12/14/2022	Gene sending info
*Complaint Policy/Procedure	12/14/2022	
*Town Board Procedure Manual	TBD	
Town Clerk Reporting Procedures		
*Resolutions vs. Motions	ТВД	
Town of Chenango Safety Manual		
*New Committee Members	ТВД	
Town of Chenango Vehicles		
*GPS in vehicles	ТВД	J. DiMascio
WWTP Project		
*WQIP Grant Application	Submitted 7/29/22	Results Due 12/21/22
*Benefit Assessment Model Discussion	Jan. 2023	Wyatt, Endress, Burden

*EDU's Model Discussion	Jan. 2023	
*Engineer - Peer Review Update	12/14/2022	
*Trophy Point	12/14/2022	
*Projected Timeline	TBD	
*Project Modifications - B & L Amendment Discussion	TBD	
a.) Resolution for B&L Final Amendment	TBD	
*Construction Schedule Discussion	TBD	