

TOWN OF CHENANGO  
1529 NY RT 12  
Binghamton, New York 13901

JO ANNE KLENOVIC  
SUPERVISOR  
7:00 P.M.

(607) 648-4809  
July 20, 2022

REGULAR MEETING OF THE TOWN BOARD

1. PLEDGE OF ALLEGIANCE
2. APPROVAL OF MINUTES – July 6, 2022 Work Session and Town Board Minutes



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SESSION.MEETING).d



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MEETING).docx

3. BID OPENINGS – None
4. PUBLIC HEARINGS – (2) WWTP Joint Consolidation and Increasing the Funding for the WWTP Project to \$40 Million
5. OPEN HEARING, GENERAL TOWN BUSINESS -  
Guests shall speak in an orderly fashion and are limited to remarks of five (5) timed minutes or less. The speaker shall deliver their comments or concerns in a civil tone and without the use of profanity, personal attacks or other disruptive behavior which may result in the offender's removal from the meeting. The speaker shall not be interrupted except in a matter of urgency.
6. TOWN BOARD IN SESSION WITHOUT PUBLIC PARTICIPATION
7. COMMUNICATIONS
8. COMMITTEE REPORTS
9. RESOLUTIONS:

- Resolution Approving Abstract 13



Abstract.13.Report.7.  
13.2022.docx

- Resolution for Mid-Year Budget Modifications



Reso 2022 7-20 mid  
year budget amend.d

- Resolution for Urda Engineering Out of Scope Work-Biosolids Composting Permit Renewal



Resolution  
Authorizng Alex Urda'

- Resolution for WWTP Joint Consolidation



ChenangoT-42579-  
Sewer District Cons



WWTP Joint  
Consolidation Back-

- Bond Resolution to Increase Funding for WWTP Project to \$40 Million



ChenangoT- 42579  
-OrderAfterPublicHe

- Resolution Establishing Highway Equipment Reserve Fund



Resolution to  
Establish Reserve Fun

- Resolution for Ground Lease for Castle Creek USPO



Resolution  
Authorizing USPS Lea:

10. UNFINISHED BUSINESS

11. ADJOURNMENT

**THE TOWN OF CHENANGO TOWN BOARD MET WEDNESDAY, JULY 6, 2022 AT 5:00 P.M. IN THE TOWN OFFICE BUILDING, 1529 N.Y. ROUTE 12, BINGHAMTON, N.Y.**

PRESENT: Jo Anne Klenovic, Supervisor  
Jim DiMascio, Councilperson  
Frank Carl, Councilperson  
Gene Hulbert, Jr., Councilperson  
Dave Johnson, Councilperson

ALSO, PRESENT: Keegan J. Coughlin, Legal Counsel  
Lizanne M. Tiesi-Korinek, Town Clerk

**PLEDGE OF ALLEGIANCE TO THE FLAG -**

Jo Anne Klenovic asked everyone to join in the Pledge of Allegiance to the Flag.

**OPEN FORUM:**

Webb Sisson – Hopefully this will be the last time he brings up the subject of the truck. We now have a truck up for auction with only 60,000 miles on it and it is a 2-door work truck. But he had to buy a new one for himself. 60,000 miles is not time to get rid of it when you work with it. Maybe 150,000 and the County goes no less than 100,000 on any vehicle. So, in the future board members, do your due diligence, if someone wants to buy a vehicle that is not being used to plow. He is being very careful as the highway department does use theirs for that type of work. Regular vehicle, he is sorry, it shouldn't have been bought for the water/sewer department. But next time you will do your due diligence. That is what he is asking the town board to do. He is going to bid on the truck. He buys trucks with 60,000 miles on them and he will put 200,000 on them without doing any maintenance. He beats the p..... out of them.

Gene Hulbert said that he has a question for Webb, what vehicle are you talking about?

Webb Sisson said the 2 door Ford pickup truck that is on the auction site.

Jo Anne Klenovic said that truck is sold.

Webb Sisson asked how much was it sold for?

Jo Anne Klenovic responded she believe that it was \$16,500.00. We got half of what we paid for it. We paid \$28,000.00.

Webb Sisson said he would have gone as high as \$25,000.00 easily with that kind of miles.

Keegan Coughlin offered that Greg said when it was purchased new it was high \$28,000 to low \$29,000; something like that.

Gene Hulbert asked if we knew who bought it.

Keegan Coughlin said it was sold on Auctions International and it sold for \$16,600.

Derin Kraack said to Gene that if he knew he would tell him but he just couldn't remember off the top of his head but we have all the paperwork and he could find out.

Gene Hulbert said he would like to know.

Frank Carl asked why he cared. We put it up for auction and he doesn't care who bought it. Our job was done when it went to auction as far as any influence or information. It doesn't matter.

Gene Hulbert replied that he didn't ask you for permission to ask the question. It is town business, we sold it and he asked who bought it. It is not an improper question. Just keep that in mind the next time you want to yell at him for selling town property.

**PUBLIC HEARINGS:** None

**PRESENTATIONS:**

Keegan Coughlin and Jo Anne Klenovic both are recusing themselves as they have a conflict of interest with this matter.

Frank Carl dialed up Nadine and had her on speaker phone. Frank explained that he had not gotten the information that she had sent to Lizanne or Amy so it did not make it to their agenda packet. However, it is going up on the TV screen right now.

Nadine Bell – She explained that she had sent the proposed local law together with resolution which will introduce Local Law 5 -2022. This will change the zoning designation of certain parcels in the Town. It will eliminate the planned development district (PDD-R) and also the regulations that related to that designation. It will also amend the zoning map to either neighborhood commercial or agriculture, depending on the parcels. The proposed Local Law identifies six tax map parcel numbers. She read them aloud. These 6 parcels would be changed from the PDD-R to Neighborhood Commercial. She said there is an additional parcel which would be changed from PDD-R to Agricultural. As proposed the official zoning map would be revised to reflect these zoning changes. The local law goes on to address the regulations that are established in the Town so that references to the PDD-R are revised to reflect these changes. It goes on to reflect how we got here. Approximately in 1958 the town board adopted zoning regulations to help protect the health, safety and welfare of the community. Then it goes on to say that the Town Board adopted a comprehensive plan and since then it has periodically been updated to reflect and incorporate changes that have occurred in the Town's demographics such as land use patterns, transportation etc. As part of the most revisions of the comprehensive plan which was adopted in 2016 it was recommended that the PDD-R zoning classification be eliminated in its entirety. The town of Chenango's zoning map has not been updated to reflect those recommendations set for in the town's comprehensive plan nor has the town of Chenango zoning ordinance and the regulations pertaining to same. It has been recognized that the town has an obligation that the zoning ordinance be consistent with the town's comprehensive plan. As such is the case, the town board is desirous to eliminate the PDD-R zoning designation and the town board further desires to rezone those parcels currently recognized, in whole or in part, PDD-R. So, the town board has introduced a local law to eliminate the PDD-R zoning

designation and to rezone the parcels to either neighborhood commercial or agricultural. The town board now refers this to the town of Chenango planning board for report and recommendation thereof. Upon the return of the report and recommendation of the planning board the town board will forward same to Broome County for their review and recommendation. Upon return of all a Public Hearing will be scheduled at the town hall on September 7, 2022 at 5:00 p.m. At which time all persons will be heard.

There was discussion that this will be sent to the town's planning board for their July 11<sup>th</sup> meeting for their review and once it comes back it will be sent to the County's Planning Board. When this comes back from the town planning board and there is a significant amount of change, there will be enough time to allow the town to take into consideration those revisions.

There was discussion on the two properties (tee box) that bump out and the other five parcels that were in blue on the map. All of those should be questions posed to the planning board for their recommendation and comment.

Frank Carl will take the responsibility of passing this information onto the town's planning board tomorrow for their meeting on the 11<sup>th</sup>. Nadine Bell will also be available for that meeting by phone and Frank and Alex will be present during the meeting as well. Nadine Bell will be in person for the meetings on the 7<sup>th</sup> and the 14<sup>th</sup> of September.

Gene Hulbert said so the corrections that he sees is that we will be adding the two parcels to section 2.

Nadine Bell said she is going to make it 10 sections if you look at the language of section 2 it says you are changing the zoning from PDD-R to Neighborhood Commercials. The two bump outs are residential, correct? So, it will be another section saying it will change those two tax map parcels from Residential to NC.

Gene Hulbert brought to her attention that there are two section No. 3's.

Nadine Bell said oh sorry about that. She will correct that so thank you Gene. She will also correct the last page where it said Local Law 4-2021 as well. She said she will make all the changes and circulate them.

Gene Hulbert asked that when we send this over to the planning board do we give them any direction.

Nadine Bell said that it is up to you.

Gene Hulbert said he would just like to acknowledge some of these things to them but steer away from directing them.

Frank Carl agrees with Gene that we don't want to lead them but we do want to give them some guidance on what we are looking for back from them. So, can that come from Frank or does it need to come from you.

Nadine Bell said from her experience it should come from Frank. So, here is what she would do. Say that the Town Board on July 6<sup>th</sup> introduced proposed Local Law 5-2022. This local law is being referred to the Planning Board for its report and recommendation. As part of your consideration you evaluate the zoning designation of the 5 parcels and the board would appreciate the planning boards recommendation or referral addressing existing uses after the zone change or something like that. Give them enough heads up that you would like specific feed-back in those areas and you will be at the meeting and you can certainly elaborate.

Frank Carl said what his intentions are is to send an e-mail to Brian and Diane with everything he has to say. If any of the other board members feel there is something that he might have missed just piggy back off of his. That way we are not into any e-mail making decision.

Gene Hulbert said remember we have a recording here. They can get it from Lizanne to take care of the words.

Frank Carl will tell them that he just didn't want to get into anything where we were making decisions via e-mail or anything like that. Frank will get it out as quickly to them as he can.

Nadine Bell said you need to make a motion to introduce the Local Law and forward it to the Planning Board.

Frank Carl said he will make that motion with the corrections to the documentation that Nadine said she would be putting in there. Seconded by Gene Hulbert. Hulbert voted aye, Carl voted aye, DiMascio voted any and Johnson voted aye. Motion carried by the following: 4 Aye, 0 Nays, 1 Abstain-Jo Anne Klenovic.

They all thanked Nadine.

Jo Anne Klenovic and Keegan Coughlin returned to the meeting.

Jo Anne Klenovic said we will be adding one item to the agenda this evening. This came from Bill Jackson and it has to do with the WWTP. It is a resolution to pass for a Public Hearing to be scheduled for July 20<sup>th</sup>. She asked Keegan if he wants to speak on it.

Keegan Coughlin said so effectively how this came up was he was speaking with Bill Jackson last week and they were discussing the B & L amendment to make sure that it didn't affect the bond work and Keegan mentioned the grant that was going on. Oh, is the dead line still August like it normally is and it was Keegan's understanding that it was the end of July. So, Bill and Taylor consulted and apparently it would put Chenango's best foot forward to have the Bond Resolution authorization passed prior to the submission of the project for funding at the end of the month. So, in order to do that the board would have to call for the public hearing for the expansion of the bond resolution for the \$40,000,000.00 today for the 20<sup>th</sup>. If the Board remembers we have talked about this twice before once in the review of the plan schedule and the other time was when the board was potentially going to award the bids. When it went over we were keeping all of our options open so we called for the public hearing and then canceled it because the board had made the decision not to move forward with the bids. Nothing has changed except for the dates and the corrections in the consolidation that will be happening at the 20<sup>th</sup> as well. Does anyone have any questions on the paperwork?

No one had any questions and Keegan then asked if someone would entertain a motion to add this to the next at 7:00 p.m. Frank Carl made a motion, seconded by Jim DiMascio. Keegan explained that we would be passing the Order calling for the Public Hearing tonight and the Public Hearing itself on the bond resolution will be on the 20<sup>th</sup>. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye.

### **OLD BUSINESS:**

- WWTP Amendment #3 – Keegan Coughlin said he would suggest going into Attorney Client Privilege to discuss the amendment and the memo he had sent out to discuss contractual options with B & L both general contract and their proposed amendment. Jim DiMascio made the motion, seconded by Dave Johnson. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Ayes, 0 Nays.

Frank Carl made a motion to come back into regular session, seconded by Jim DiMascio. All were in favor.

- Proposed Amendment to Local Law 73-44 – Keegan Coughlin explained that the information from the comprehensive plan – specifically that the comp. plan that was adopted in 2015 contemplated and referenced the law changes to expand the distances between the structure and specifically if the board does want to change the distances we would just need to come up with the “why”. Because it is different and it is references as a positive in the comp plan; the comprehensive plan references the zoning changes and general satisfaction had been previously made by the board to expand from 15 to 20 feet in between the structure. It referenced the side yard setback as well. In the brief memo that Keegan sent out to the board it says that you have kind of two options. You could go with Gavin’s recommendation for 5ft. or by adding the foot note carrot to accessory structures as well since a detached garage is an accessory.

Some of the board hadn’t looked at what Keegan had sent out to them. Some thought that it was very confusing. So, after a brief discussion they decided to send it to the Planning Board and get their feedback and interpretation on it because we shouldn’t be doing all these variances and we should be redoing the comp plan in two years.

Keegan Coughlin asked do you want to send this to the Planning Board for an advisory opinion prior to the introduction of the local law? Gene Hulbert said yes and Keegan asked if that was a motion? Gene Hulbert said yes, he will make that motion. Frank Carl seconded the motion. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Aye, 0 Nays.

### **OPEN FORUM:**

No one wished to speak.

## ADJOURNMENT:

Motion was made by Jim DiMascio to adjourn the meeting, seconded by Frank Carl.

Gene Hulbert asked what are we doing with the rest of the agenda?

Jo Anne Klenovic said you will have to review the description and vote at the same time. Some are routine and some are new. They asked if some had urgency.

Gene Hulbert feels they all have urgency since they are on the agenda but last time we discussed as a procedural policy that if we didn't finish what was in the work session was not being moved over to the board meeting. There are things that should be done but we didn't get done in time but he wants to stick with our decision from the past that if we didn't get it done in work session it does not move to the Town Board Meeting.

Jo Anne Klenovic said it is not an option for the insurance. It was renewed on July 1<sup>st</sup> without a board action as a courtesy. So, not acting on it tonight and moving it until the 13<sup>th</sup> is a big mistake. Jo Anne Klenovic asked for the board to weigh in.

Dave Johnson feels that the executive session was long and it was hard to prepare for them. Since it did take so long he feels we should discuss the issues that we didn't cover in the work session to be able to do some of the things in the Town Board Meeting. So, he is willing to carry some of them over. He can't see us delaying the insurance for sure. It was just an unforeseen circumstance that we ran long.

Jim DiMascio said the abstract and insurance should be paid and it is a monetary obligation that we have already.

Gene Hulbert said one of the ones he wants on and we are going to miss is the one for the attorney.

Frank Carl agrees that he doesn't want to go delinquent on a payment. We can discuss it briefly in the meeting and be able to approve the abstract.

Jo Anne Klenovic said ok so we can pick and choose during the meeting.

Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Ayes, 0 Nays.

Respectfully submitted,

Lizanne M. Tiesi-Korinek, Town Clerk  
Town of Chenango



**THE TOWN OF CHENANGO TOWN BOARD MET WEDNESDAY, JULY 6, 2022 AT 7:00 P.M. IN THE TOWN OFFICE BUILDING, 1529 N.Y. ROUTE 12, BINGHAMTON, N.Y.**

PRESENT: Jo Anne Klenovic, Supervisor  
Jim DiMascio, Councilperson  
Frank Carl, Councilperson  
Gene Hulbert, Jr., Councilperson  
Dave Johnson, Councilperson

ALSO PRESENT: Keegan J. Coughlin, Legal Counsel  
Lizanne M. Tiesi-Korinek, Town Clerk

**PLEDGE OF ALLEGIANCE TO THE FLAG -**

Jo Anne Klenovic asked everyone to join in the Pledge of Allegiance to the Flag.

Jo Anne Klenovic said that we are going to begin with the NYMIR Insurance Policy. 7.6% increase from the insurance company. We added a few items that were added for coverage that were omitted years ago. We did a thorough review of all the vehicles and equipment and everything that we have in our fleet to make sure it was all accounted for. We found very few discrepancies there. The values in some have gone up a little bit the premiums went up a little bit so it was a difference of about \$7,523.00. The policy renewed on July 1st and it goes until July 30, 2023. The department heads went through it all with Jo Anne to make sure everything that was in their department was all covered. The fence in the Cemetery – the policy was set up in previous years that structures were covered but things that could be repaired by the scope of the abilities of our staff were not insured. So, a thing like a fence, swing or bleacher were things that we could fix so they were not insured. If it were concrete or stone/structure then it is covered. Greg found a couple of things related to lift stations and those were corrected and both Derin and Greg went through their vehicle/equipment lists.

The cyber insurance is there and does not have to be acted on this evening. You do have the information on what it costs but it is not necessary to solve that problem. Are you ok with postponing that to another time? The Board was in agreement to postpone to another time.

**APPROVAL OF MINUTES:**

Frank Carl made a motion to approve both the WS/TB Meeting Minutes dated June 15, 2022, seconded by Dave Johnson. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio abstained and Johnson voted aye. Motion carried by the following: 4 Ayes, 0 Nays, 1 Abstain - DiMascio.

There was discussion that Lizanne would note in the minutes that Keegan Coughlin and Jo Anne Klenovic recused themselves in the prior meetings where there was discussion in regards to the Re-Zoning Matter at the Commons and that Gene Hulbert also recused himself in the past when the DCO Officer gave his reports. Going forward mention will be made in the minutes reflecting when these things do happen.

**BID OPENINGS** - None

**PUBLIC HEARINGS** – Local Law 4-2022 – Amending burning

Keegan Coughlin gave a quick summary. It is that the Town Board has introduced a local law which amends a portion of the town code eliminating the section regarding open burning and it will be covered under the NYS Fire & Building Code as well as DEC regulations at the recommendation of various Ordinance Officers through the history of Keegan's time here with the Town. It is actually just deleting that section that prohibited open burning and the Town Board had put forth that this would be governed by the Fire Code and DEC Regulations.

Jo Anne Klenovic officially opened the Public Hearing and asked if the public wanted to comment. No one wished to comment and the Public Hearing was officially closed.

Jo Anne Klenovic asked the Town Board if they wanted to comment and no one had any comments or questions.

**OPEN HEARING, GENERAL TOWN BUSINESS:** No one wished to speak

**COMMUNICATIONS:** Nothing to report. Keegan Coughlin offered that there was the new training from AOT on Zoning and Planning that did get sent out to the Planning and Zoning Boards.

**COMMITTEE REPORTS:**

**Frank Carl – Planning Board/Assessor**

There will be a Planning Board Meeting on July 11, 2022 with the following items:

**NEW BUSINESS:**

- Special Permit with the number of accessory structures on a property
- Commercial Re-occupancy on Chenango Bridge Road.
- Application for site plan review for a solar farm on Ransom Road.
- Application for site plan review for the Dunkin Donuts property on Front Street.

**ADVISORY:**

- An area variance for a porch with the less than the required setback in a residential zone.
- An area variance for two structures in front of the principle in the Ag.
- An area variance for a detached garage with less than the side setback.
- They will be working on the recommendation for the elimination of the PDD-R/amending the zoning map to NC or AG.

Nothing for the Assessor.

### **Jim DiMascio – Highway – ZBA**

- The tops of catch basins were cleared on June 16<sup>th</sup>. Catch basins were rebuilt at 6 Donna Ct, Hemlock Ln and Matthew Ct.
- Ditches were reconstructed on Palmer Rd and lined with shot rock.
- Mary Dr, Matthew Rd from Patch to Jason and Matthew Ct were milled and then paved.
- The road edges continued to be mowed.
- The water break on Charmel was patched.
- Patching was done on the following roads: Donna Ct, East Hill Rd, Frederick Rd, Hemlock Ln, Hi-Over, Hospital Hill, Jean Ct, Jeffery Ct, Oak Hill Rd, Savitch Rd, Sky View Ln, Theresa Blvd and Willis Rd.
- Strip patching occurred on Brotzman, Grant and Fuller Rd areas and East Hill Rd.
- The watch children signs were installed in Poplar Hill Estates as requested by the residents in 2021.
- Under sharing of services, we hauled for a Town of Windsor project for two days.
- Yardwaste and chipping continued.

**ZBA** – Nothing to report at this time. He will report next time.

### **Dave Johnson – Public Works**

- Repaired 3 curb boxes
- Water well drawdowns were done for the month of June.
- There were 8 after hour call-outs in June.
- Water main break and repair on exit 6 off ramp. Had to hire Vacri Construction to do repair.
- Cody Witting Tree Service removed 2 dead spruce trees, ground the stumps and trimmed a box alder tree in Kattelville Cemetery.
- Flowers were planted in front of Town Hall.
- As you know the Broome County grant was a success we received \$75,000 towards the Wolfe Park Project. Alex Urda and I have been in contact with Engineers from Broome County to help with the design.
- Parks Dept continues mowing and trimming.
- A dumpster was brought in to the old Parks garage and the parks guys cleaned out the old office area and the outside of the building.
- Parks crews cleaned up along the wooden fence on the left side of playground and 2 broken playground items at Hider Park.

**Gene Hulbert – Ordinance/Building/Code – June 1, 2022**

**Building Permits**

	Residential	Commercial
Received	10-Thompson, Prentice, Heath, Hanel, Graupman, Scarzini, Pasquale, Samsel, Lori Ashley Properties LLC, Abbey Family Trust Number 4	
Issued	6	
Inspections	12	
C of O		
C of C	6	

**Building Permit Fees Collected: \$ 643.00**

**Special Permits**

Type of Permit	# Permits Received	Permit Fees Paid	Applicant(s)
Sign	2	\$ 250.00	Splash Car Wash LLC, BC Development
Site Plan	2	\$ 700.00	Ransom Road LLC, Dunkin
Variances	2	\$ 90.00	Mace, West (fee waived)
Other	2	\$ 2075.00	In-house review (High Standards), SWPPP (Ransom Road LLC)

**Fees Collected Total: \$ 3115.00**

**Fire Inspections**

	Total	Previously Done	New This Month	% Completed
Annual	45	--	5	11%
Tri-Annual	62	1	4	8%

**Complaints**

**Total No. of Complaints Received: 39                      Closed: 15**

Complaint Type	# of Complaints	Open	Closed
Property Maintenance	12	10	2
Open Storage garbage/debris	3	3	
Open Burning/smoke	1		1
Junk Vehicles	4	2	2
Grass/undergrowth	10	5	5
Noise	2	2	
Operating a business			
BWOP	4	4	
Rec vehicles/trailers	3	3	
Illegal fill			

## **Jo Anne Klenovic – Supervisor’s Report –**

- NYSEG has a program that is meant for municipalities for electric car charging stations. They offer 75-90% reimbursement and the DEC picks up the remainder of that cost for the environmental value of it. At this time the program could yield 100% reimbursement for the car chargers. She was on a seminar for ½ yesterday. It is intriguing and if you want it on an agenda at a later date or it is not the time nor the place. Dave Johnson and Jim DiMascio said we have a lot on our plate right now. Frank Carl said later as we have a lot on our plate. Gene Hulbert said he is fine not addressing it in the future.
- Met with Tom Wisner/DOT with Derin Kraack and Alex Urda in relation to the Smith Hill Project. The State has committed to spend up to 2 million dollars in re-routing that water coming off of Smith Hill given that we do our part which are the easements that are from the west side of Smith Hill from Front Street going up the hill to where the County will be picking up the easements. The State says we handle our own easements and we do our own thing. So, we will do all that, we will handle all that crosses Front Street. Mr. Wisner was comparing notes with his predecessor and they will honor the offer that was given to us in the meeting with Senator Akshar about 6 months ago. So, it is up to the Board to discuss and the ARPA meeting is next week; if we are spending ARPA money on easement and satisfying that requirement. There is no deal if we don't. It was successful in that they were very willing to help us.
- Two letters on the table – for your review before she sends them. One is to Senator Schumer who has put us on the list of potential projects of \$5,000,000.00 for our WWTP Project. The letter expressed our gratitude and also making ourselves available for any other information. The second letter was to Claudia Tenney asking to write a letter of support to the appropriations committee to help us out there, if she would.

Gene Hulbert asked if they were going to issue the commitment from today in writing to us.

Jo Anne Klenovic said yes, he said he will put it in writing that they will spend up to \$2,000,000.00. Jo Anne asked Derin if he wanted to add anything.

Derin Kraack said they were not going to commit to anything unless we and the County commit completely. If we can't get the drainage system up to them and update it, the same as the County; they have other places to put their money. The same as us we want commitment from them and the County; they want the same from us. It's a good open thing.

Gene Hulbert said when we are talking about this next week-the ARPA money-he needs to know what the process is. So, if you can put this together for next week – what has to be done first for them to commit to \$2,000,000.00 and how long are they going to hold to that-the time line and our obligation to it and what is the County's time frame. Those are the things that would be a concern to him on next weeks discussion on this issue. The next is related to these letters. You gave them to us for our review. Well he didn't take the time to read them prior to tonight but he doesn't necessarily need to say anything except he supports you sending them out. He doesn't want to drag it out or hold it up.

Frank Carl said in respect to Gene's request on the procedural aspect of it; he thinks we need to if the State is going after easements on their own; what is their methodology. Are they paying by square footage, fair market value cause we can't take a different approach than them.

Jo Anne Klenovic replied they would be doing more commercial like Sonic and we would be doing my residential. It may not be apples to apples but she will inquire. All three of them need to do their part. Mr. Wisner said it will take him nine (9) months to pull off his part of it to get the easements that he needs. He would be looking at Spring Of 2023. If you can stick with the same timeline and the County told us 2023. So, that should be our goal. She doesn't know how greedy or how generous people will be about their properties. So, he knows that we have some homework to do. At this point we have until April 2023 and she will give more details next week.

**Keegan Coughlin – Attorney Report** Nothing to add this evening unless the Board has something they would like him to report on.

### **RESOLUTIONS:**

1. Resolution to Approve Abstract No. 12, dated June 29, 2022, motion was made by Frank Carl, seconded by Jim DiMascio. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Ayes, 0 Nays.
2. Resolution entitled "A Local Law Amending Section 73-9 of the Town Code Entitled "Zoning", (amend burning) motion was made by Jim DiMascio, seconded by Gene Hulbert Jr. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye, Motion carried by the following: 5 Ayes, 0 Nays.
3. Resolution Authorizing Purchase of NYS DMV Inspection Equipment, motion was made by Frank Carl, seconded by Jim DiMascio.

Gene Hulbert said we were going to evaluate which resolutions were important and had to be done this evening. So, does this one have to be done tonight?

Keegan Coughlin replied yes.

Derin Kraack said this is equipment that is required so that we can report through the computer system to DMV. Before we kept our own paper records. If we don't do it now we will be behind the eight ball. They just came out with this. A guy was here two or three weeks ago and said do it sooner than later as everyone had to get one so you will be ahead of everyone else. It has to be done by January 1<sup>st</sup>. Also, our mechanic is going to be out starting in August and he wants this taken care of by him prior to him leaving for medical leave and he has to renew his license. This is an equipment purchase not a lease.

Keegan Coughlin said he would normally be able to buy this out of his budget but because it is an automated clearing house instead of otherwise. Julie and he spoke and he advised that it go through the Town Board because it wasn't a typical purchase as it will come right out; it is not something that you can voucher and approve.

Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Ayes, 0 Nays.

4. Resolution Changing Fees Under Chapter 19 Fees (\$0.00 for not-for profits for accessible ramps), motion was made by Jim DiMascio, seconded by Frank Carl. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Aye, 0 nays.
5. Resolution Authorizing Employment of Bond, Schoeneck & King, LLP for Work Outside of the Retainer Agreement, motion was made by Gene Hulbert, seconded by Frank Carl.

Dave Johnson asked if this was budgeted up for? Keegan Coughlin responded that it was.

Jo Anne Klenovic has one comment. She has not seen any information and that is she will be abstaining from voting as she in all good conscience doesn't know what she is voting for at this point. She knows there was delay in getting the information. Just so everyone knows that is the way it is.

Hulbert voted aye, Carl voted aye, Klenovic abstained, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 4 Ayes, 0 Nays, 1 Abstain - Klenovic.

6. Resolution to Set Public Hearing for Charter Franchise Agreement, motion made by Frank Carl, seconded by Gene Hulbert.

Gene Hulbert asked if there were any changes since the last time we discussed this.

Keegan Coughlin confirmed that there were no changes whatsoever. Keegan Coughlin continued to update Dave Johnson that Charter reached out to the Town about 8 months ago to renew the franchise agreement with the Town. In order for a cable company to operate in municipalities they have to get a franchise in order to do that which is regulated by the NYS Public Service Commission. In the contract the Town Board did not want to make any changes to the rates with some minor tweaks to the agreement to protect the Town's interest with respect to future agreements if we want to increase any rates. He will circulate that agreement to everybody and it will be on file with Lizanne in the Clerk's Office once this public hearing notice goes out which will be in about two weeks just so they can keep operating.

Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 ayes, 0 Nays.

7. Resolution Authorizing and Approving Insurance Policy for the Town (NYMIR), motion made by Jim DiMascio, seconded by Frank Carl. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye, Motion carried by the following: 5 Ayes, 0 Nays.
8. Resolution Authorizing Appointment of Clerk to Justice (Trina Sorochinsky), motion made by Frank Carl, seconded by Dave Johnson. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Ayes, 0 Nays.

9. Order Calling for a Public Hearing to Be Held on July 20, 2022 on a Bond Resolution to expand the ability of the WWTP Project to \$40,000,000.00 in order to have that in place for the final round of grant applications, motion was made by Jim DiMascio, seconded by Dave Johnson. Hulbert voted aye, Carl voted aye, Klenovic voted aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Aye, 0 Nays.

### **Unfinished Business:**

Review of the calendar for future agendas was gone over. Jo Anne Klenovic continued with the e-mail post. Broome County is no longer discarding us. They are asking us to stay with them and are presenting a proposal for us to stay. They have relieved the duties of the person who was the chair of the department. They are moving forward in a more positive light and they would like our business. Pyramid is very much interested in doing the same. Do you want to see them here in person or just to present their proposals to us?

Frank Carl wanted to see documentation prior.

Gene Hulbert has no interest in staying with the County. It doesn't matter what their issue is. It been an absolute nightmare with their tech support. It is just a very cumbersome issue and we need to find a different provider. He just wants Pyramid to present the options that we have. He doesn't want to hear from Broome County.

Dave Johnson said he is no expert but he is having problems with the County but he probably would have problems with Pyramid as well. So, he is not the guy you should be asking.

Jim DiMascio said he hasn't had the share of problems that Gene has had. So, he doesn't mind receiving a proposal from Broome County. He doesn't want to see anyone. He would like to see physical proposals for discussion in our meeting. He doesn't need to see anyone.

Frank Carl said he's not too happy with the County but if they want to pitch their wares good for them. It may not make it out of his inbox.

Jim DiMascio said there may be economics involved that we could use at our disposal with Pyramid.

Jo Anne Klenovic said can I spoil it-there is only \$5.00 difference. It's the licensing.

Jo Anne Klenovic just confirmed no guests.

ARPA is still on the 13<sup>th</sup> so Derin and Greg will be here and recap. She will pursue the State and County Letters.

Town's correspondence – a letter from Nancy Savory – is on the agenda for that night as well.

She penned in a discussion on the B & L amendment so we don't really need to use it for next week.



Keegan Coughlin said we were still waiting on quotes from Alex.

Gene Hulbert said he will share with you what Alex has told him. He has not sent out the proposals to all of the firms. So, cannot expect to get them to us before the 15<sup>th</sup>. He will try to have them to us for the meeting on the 20<sup>th</sup>. Gene Hulbert said to put it on the 7/20 agenda for B & L.

So, on the 20<sup>th</sup>, we will have the Public Hearings and the B & L and we will have the engineer.

Jo Anne Klenovic asked Frank Carl where we stood with Nadine.

Frank Carl said Nadine will be dialed in 11<sup>th</sup> at the Planning Board Meeting, she will be here on the 7<sup>th</sup> for the Public Hearing and the 14<sup>th</sup> for the SEQR – September.

Gene Hulbert said we were to have a discussion on the 20<sup>th</sup> with the Planning Board's comments back. Will Nadine be part of that commentary as well? What he feels would be good if Frank updates the Board on the 13<sup>th</sup> about the 11<sup>th</sup>'s meeting and you can determine if Nadine needs to be here on the 20<sup>th</sup> or not. They all agreed that would be a good idea.

There being no further discussion, Jim DiMascio made a motion to adjourn, seconded by Frank Carl. Hulbert voted aye, Carl voted aye, Klenovic votes aye, DiMascio voted aye and Johnson voted aye. Motion carried by the following: 5 Ayes, 0 Nays.

Respectfully submitted,

Lizanne M. Tiesi-Korinek, Town Clerk  
Town of Chenango

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING ABSTRACT NO. 13**

At a regular meeting of the Town Board of the Town of Chenango, held on the 20<sup>th</sup> day of July, 2022, the following resolution was offered and seconded:

**RESOLVE** to pay the attached and incorporated herein Abstract of Bills. Abstract 13, dated July 13, 2022.

General Fund - Voucher Nos. 453-492; Check Nos. 5298-5332 totaling the sum of \$154,230.42.

Highway Fund - Voucher Nos. 183-198; Check Nos. 1820-1832, totaling the sum of \$99,735.07.

Water Fund - Voucher Nos. 127-136; Check Nos. 1776-1785 totaling the sum of \$7,215.26.

Sewer Fund/Sewer 12 - Voucher Nos. 185-195; Check Nos. 2136-2144 totaling the sum of \$13,149.80.

Special Districts/Street Lights – Voucher Nos. 15; Check Nos. 1184 totaling the sum of \$288.61.

Capital Projects/Sewer Consolidated – Voucher Nos. 20-21; Check Nos. 1088-1089 totaling the sum of \$989.50.

**WHEREAS**, this resolution shall take effect immediately.

Offered by:

Seconded by:

Jo Anne Klenovic, Supervisor

Dave Johnson, Councilperson

Frank Carl, Councilperson

Gene Hulbert, Councilperson

Jim DiMascio, Councilperson

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Town of Chenango Seal

Dated: July 20, 2022

\_\_\_\_\_  
Lizanne Tiesi-Korinek  
Town Clerk, Town of Chenango

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION FOR MID-YEAR BUDGET MODIFICATIONS**

At a regular meeting of the Town Board of the Town of Chenango, held at Town Hall, 1529 State Route 12, Binghamton, NY on July 20<sup>th</sup>, 2022 the following resolution was offered and seconded:

**WHEREAS**, the Town Bookkeeper conducted a budget analysis of the Town's funds as of June 30, 2022 and made certain budget modification recommendations to assist in maintaining the Town's financial security. Said recommendations are submitted in Schedule A attached, and

**WHEREAS**, the Town Board has reviewed said analysis, finds the recommendations to be in the best interest of the Town, and after due deliberation desires to adopt the same.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby adopts the recommendations of the Town Bookkeeper as set forth and attached hereto; 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 on the 20<sup>th</sup> day of July, 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: 07/20/2022

\_\_\_\_\_  
Lizanne Tiesi-Korinek  
Town Clerk of the Town of Chenango

SCHEDULE A - MID YEAR BUDGET JOURNAL MODIFICATIONS AS OF 6/30/2022

7/12/2022

Debit	Credit	Amount	Amount	Explanation	Department Approval
<b>GENERAL FUND</b>					
A1990.400	Contingent Account	95,000.00			
A1440.406	Engineering Professional Fees	202.80			
A599	Appropriated Fund Balance	125,858.20			
A1110.201	Court Perm Improv	26,421.61		Court lobby improvements, offset by \$23,963.28 JCAP grant	Mike Fadish 
A1430.400	Payroll Processing	6,000.00		Paychex fees, created new line to track separately; charged \$2,382.04 to date	
A1440.400A	Eng Out of Scope Kelly Rd	1,320.00		Alex's out of scope fees for Kelly Rd project	
A1440.406C	Eng Prof Fees Ransom Solar	202.80		Alex's out of scope fees, budgeted \$3,600 in A1440.406 to cover	
A1620.402	Bldgs & Grnds Comm Room	14,353.37		Offset by Broome County Small Community Grant of \$27,254; \$17,674.39 charged to line in 2021	
A1910.400	Unalloc Insur	6,775.00		2022 Smith Bros. bill to be paid in July is \$106,380.16; amt remaining in the line is \$99,605.70	
A1930.400	Judgments and Claims	20.22		\$120.22 penalty for late filing of NYS taxes in January	
A8540.403	Drainage July 2021 Flood	165,968.00		Kelly Rd culvert replacement	Derin Kraack 
		<u>221,061.00</u>	<u>221,061.00</u>		
<b>SEWER OPERATING FUND</b>					
G599	Appropriated Fund Balance	3,165.23			
G8130.200	Trtmt & Disp Equip		3,165.23	Brush replacement of \$4,633.38 was not included in budget; planned on WWTP project to start	Greg Burden 
		<u>3,165.23</u>	<u>3,165.23</u>		

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING EMPLOYMENT OF THE TOWN ENGINEER FOR  
WORK OUTSIDE OF SCOPE OF CONTRACT.**

The Town Board of the Town of Chenango, duly convened in Regular Session, July 20, 2022, does hereby RESOLVE as follows:

**WHEREAS**, the Town of Chenango Engineer has proposed to be authorized to conduct work relating to the Town of Chenango's composting permit; and

**WHEREAS**, these activities are outside services under the Town Engineer's existing contract with the Town; and

**WHEREAS**, such activities include, but are not necessarily limited to, assistance in compiling relevant information for and the application of the Town of Chenango's composting permit; and

**WHEREAS**, the Town Board finds it in the best interest of the Town of Chenango to utilize the Town Engineer for these services.

**NOW, THEREFORE BE IT RESOLVED**, that it is estimated that these responsibilities will require approximately 40 hours and that Town Engineer, Alex Urda's time will be charged at a rate of \$120.00 per hour for the composting permit and associated activities, and expenses (report printing, etc.) of \$500.00.

**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 20<sup>th</sup> day of July 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: July 20, 2022

\_\_\_\_\_  
Lizanne Tiesi-Korinek  
Town Clerk of the Town of Chenango

EXTRACT OF MINUTES  
Meeting of the Town Board of the  
Town of Chenango, in the  
County of Broome, New York

July 20, 2022

\* \* \*

A regular meeting of the Town Board of the Town of Chenango, in the County of Broome, New York, was held at the Town Hall, in the County of Broome, New York, was held at the, on July 20, 2022.

There were present: Jo Anne Klenovic, Supervisor; and

Councilpersons: Frank Carl, Councilperson  
Gene Hulbert, Jr., Councilperson  
Dave Johnson, Councilperson

There were absent: Jim DiMascio, Councilperson

Also present: Lizanne Tiesi-Korinek, Town Clerk

\* \* \*

\_\_\_\_\_ offered the following resolution and moved its  
adoption:

RESOLUTION OF THE TOWN OF CHENANGO, NEW YORK,  
ADOPTED JULY 20, 2022, APPROVING THE JOINT  
CONSOLIDATION PLAN AND AGREEMENT WITH RESPECT TO  
CONSOLIDATED SEWER DISTRICT NO. H2 AND SEWER  
DISTRICT NOS. 8, 10 AND 12 AND ANY EXTENSIONS THEREOF

Recitals

WHEREAS, on June 6, 2011, the Town Board of the Town of Chenango, in the County of Broome, New York (herein called the “Town”) adopted an order to consolidate Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8A, 9 and 10 in the Town and any extension thereof into one consolidated sewer district to be designed Consolidated Sewer District No. H2; however such consolidation order did not include Sewer District No. 8;

WHEREAS, on March 4, 2022, the Town adopted an order to consolidate Sewer Districts Nos. 2, 3, 4, 5, 7, 7A, 8 & 9 and Sewer District No. 12; however such consolidation order did not include Sewer District Nos. 8A and 10 and did not reference the prior consolidation order adopted on June 6, 2011 and referred to in the first recital hereof;

WHEREAS, the Town now wishes to consolidate all of the existing sewer districts in the Town and any extensions thereof into a single consolidated sewer district; and

WHEREAS, the Town Board of the Town has reviewed the proposed Joint Consolidation Agreement in connection with the proposed consolidation of the Consolidated Sewer District No. H2 and Sewer District Nos. 8, 10 and 12 and any extensions thereof (the “Districts”); and

WHEREAS, the Town Board has adopted a resolution on June 15, 2022 endorsing the Joint Consolidation Agreement with respect to the Districts; and

WHEREAS, a public hearing was duly called and held at the Town Hall on the date hereof to hear those in favor of and in opposition to the proposed consolidation of the Districts;

Now, therefore, the Town Board hereby resolves as follows:

Section 1. The proposed plan for the consolidation of Consolidated Sewer District No. H2 and Sewer District Nos. 8, 10 and 12 and any extensions thereof is hereby approved, including the Joint Consolidation Agreement heretofore endorsed by the Town. Said Districts are hereby determined to be consolidated into a single district to be known as “Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12”. The consolidation shall be accomplished pursuant to and in conformity with a Joint Consolidation Agreement in substantially the form attached to the resolution adopted by the Town Board on June 15, 2022.

Section 2. This resolution shall take effect immediately. A copy of this resolution must be filed in the Office of the State Comptroller and the Office of the County Clerk of Broome County.

\* \* \* \* \*

\_\_\_\_\_ seconded the motion for the adoption of the foregoing resolution and said resolution was adopted by a roll call vote, as follows:



Supervisor Jo Anne Klenovic voting \_\_\_\_\_

Councilman Frank Carl voting \_\_\_\_\_

Councilman Eugene H. Hulbert, Jr voting \_\_\_\_\_

Councilman David Johnson voting \_\_\_\_\_

\* \* \* \*

The resolution was declared adopted.

Exhibit A

Joint Consolidation Agreement

Regarding Certain Sewer Districts

in the

TOWN OF CHENANGO  
Broome County, New York

---

THIS AGREEMENT by and among the Town Board of the Town of Chenango, in the County of Broome, New York in its several capacities as the governing board of Consolidated Sewer District No. H2 and Sewer District Nos. 8, 10 and 12 and any extensions thereof, is entered into this 15th day of June, 2022.

Recitals

WHEREAS, it has been proposed that Consolidated Sewer District No. H2 and Sewer District Nos. 8, 10 and 12 and any extensions thereof (collectively herein, the "Districts") of the Town of Chenango, in the County of Broome, New York (the "Town") be consolidated into a single district which would provide sewer service to the aggregate area currently served by such Districts; and

WHEREAS, the Supervisor of the Town has analyzed and reviewed the financial condition of each of the Districts and has projected the expected effects of consolidation and has advised the Town Board that the proposed consolidation is expected to reduce administrative burdens by eliminating duplicative effort for the existing Districts and consolidating such effort into a single District, although the precise amount of budgetary savings, if any, cannot be estimated; and

WHEREAS, each of the Districts are improvement districts of the Town of Chenango, having been established by the Town pursuant to the Town Law, and the Town Board of the Town is the governing board of each of the Districts;

NOW, THEREFORE, it is hereby agreed by the Town Board of the Town of Chenango, on behalf of each of the Districts, as follows:

1. The Districts described above shall be consolidated pursuant to Article 17-A of the General Municipal Law and such consolidation shall become effective immediately. The consolidated district shall be called "Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12," which shall continue to have the rights duties and obligations of a sewer district under the laws of New York. The Town Board shall serve as the governing board of the Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12 pursuant to the Laws of the State of New York.

2. As of December 31, 2021, the debt for each District was as follows:

Sewer District No. 7 -	\$1,605,000
Compost Facility -	30,535
Consolidated Sewer District -	1,079,184 <sup>(a)</sup>

(a) Paid from operating of the system and not a special assessment.

The Town is using grants funds to pay for improvements to the wastewater treatment plant (the "Plant") that serves or will serve the Districts. In addition, the Town has issued a bond anticipation note (BAN) to the New York State Environmental Facilities Corporation to fund improvements in the Districts and to the Plant; however, the Town has not made any draws pursuant to such BAN to date. The aggregate cost of said improvements is \$40,000,000.

3. Although the precise amount of budgetary savings, if any, cannot be estimated, the proposed consolidation of the Districts is expected to reduce administrative burdens by eliminating duplicative effort for the existing Districts.

4. No property or assets of any of the Districts shall be disposed of as a result of the proposed consolidation. All such property and assets shall become property of the Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12. The fair value of the property and assets of the Districts is set forth upon the books and records of the Town

5. The territorial boundaries of the Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12 shall be as appearing in **Schedule I** attached hereto.

6. A public hearing shall be held by the Town Board on July 20, 2022 to hear those in favor of and those in opposition to the proposed consolidation of the Districts.

7. The Supervisor and/or the Town Clerk and their designees and all other officers and employees of the Town are hereby authorized to take any actions, including but not limited to preparation and signing of documents, posting of notices, holding public hearings, preparation of a notice of the public hearing, and any other act necessary or appropriate to accomplish the consolidation of the Districts in accordance with applicable law.

SCHEDULE "I"

**Farton & Iguidice**



Not intended to provide legal sewer district boundaries. Based on historical sanitary sewer construction record drawings.

Town of Chamungo  
**Approximate Town Sewer District Service Area Map**  
 February 2022  
 Project No. 1823201

**Legend**

	Town of Chamungo Consolidated Sewer District
	Town of Chamungo Sewer District 13
	Municipal Boundary

From Project 1823201

IN WITNESS WHEREOF, the members of the Town Board of the Town of Chenango, in the County of Broome, New York have hereinbelow affixed their signatures as of the date first mentioned above.

Jo Anne Klenovic Supervisor Jo Anne Klenovic

Jim DiMascio - Absent

Frank Carl Councilman, Frank Carl

Gene Hulbert Jr. Councilman, Gene Hulbert Jr.

Dave Johnson Councilman, Dave Johnson

CERTIFICATE

I, Lizanne Tiesi-Korinek, Town Clerk of the Town of Chenango, in the County of Broome, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on July 20, 2022, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this \_\_\_\_ day of July, 2022.

(SEAL)

\_\_\_\_\_  
Lizanne Tiesi-Korinek, Town Clerk  
Town of Chenango

At a meeting of the Town Board of the Town of Chenango, in the County of Broome, New York, held at the Town Hall, 1529 New York Route 12, Binghamton, New York, on the 20th day of July, 2022.

PRESENT:

Jo Anne Klenovic	Supervisor
Frank Carl	Councilperson
Eugene H. Hulbert, Jr.	Councilperson
David Johnson	Councilperson

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In the Matter

of the

Joint Increase and Improvement of Facilities of Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12, in the Town of Chenango, in the County of Broome, New York, pursuant to Section 202-b of the Town Law

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Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

RESOLUTION AND  
ORDER AFTER PUBLIC  
HEARING

WHEREAS, the Town Board of the Town of Chenango (herein sometimes called "Town Board" and "Town", respectively), in the County of Broome, New York, on behalf of Consolidated Sewer District No. H2, wholly located within the Town, had caused Barton & Loguidice, D.P.C, Binghamton, New York, engineers duly licensed by the State of New York to prepare the map, plan, report and estimate of cost dated April 18, 2018 for the increase and improvement of facilities of such consolidated sewer district, consisting of the (i) construction of improvements to the Northgate Wastewater Treatment Plant, including a new headworks building and the conversion to a membrane

biological reactor system, (ii) enhancements to the collection system, including lift stations, and (iii) decommissioning and consolidation of the Pennview Wastewater Treatment Plant, including the construction of a new pump station and force main to convey sewage to the Northgate Wastewater Treatment Plant, and any ancillary or related work required in connection therewith (the “Consolidated Sewer Improvements”), all pursuant to said map, plan and report; and

WHEREAS, the Town Board of the Town on behalf of Sewer District No. 12, wholly located within the Town, had caused Lake Engineering, Binghamton, New York, engineers duly licensed by the State of New York, to prepare the map, plan and report, dated January 24, 2017 and had caused Barton & Loguidice, DPC, Binghamton, New York, engineers duly licensed by the State of New York to prepare an estimate of cost and preliminary engineering report, dated October 2017 and Addendum No. 1, dated July 27, 2018, for the increase and improvement of facilities of the Sewer District No. 12, consisting of the decommissioning of the Chenango Heights Wastewater Treatment Plant, including the construction of a new pump station and force main to convey sewage to the Northgate Wastewater Treatment Plant, and any ancillary or related work required in connection therewith (the “Sewer District No. 12 Sewer Improvements” and together with the “Consolidated Sewer Improvements” the “Sewer Improvements”), all pursuant to said map, plan and report and related documents; and

WHEREAS, the maximum amount proposed to be expended for the construction of the Sewer Improvements was estimated to be \$23,530,000, which was planned to be financed by the issuance of obligations of the Town and such cost to be assessed, levied and collected from the several lots and parcels of land within each of the respective sewer districts referred to above which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and



WHEREAS, following public hearings, on June 20, 2018 and November 6, 2019, respectively, the Town Board authorized the (i) increase and improvement of facilities of the respective sewer districts, (ii) expenditure of \$23,530,000 therefor, and (iii) issuance of serial bonds of the Town in an aggregate amount of not to exceed \$23,530,000 to finance said estimated total cost of the Sewer Improvements outlined above; and

WHEREAS, due to an increase in costs of construction and building materials, the Town Board heretofore determined that the total cost of said Sewer Improvements was \$26,730,000 and caused an addendum to each map, plan and report to be prepared to reflect an increase in the aggregate cost of said Sewer Improvements; and

WHEREAS, on May 12, 2021, the Town Board further determined that it was in the best interest of the Town and the sewer districts to increase the estimated total cost of said Sewer Improvements from \$23,530,000 to \$26,730,000 and to also increase the amount of bonds authorized to finance said Sewer Improvements to \$26,730,000, by separate amending bond resolutions adopted on such date; and

WHEREAS, following the opening of bids for the construction of the Sewer Improvements, the Town Board determined that, due to an increase in costs of construction and building materials, the total cost of said Sewer Improvements is now \$40,000,000; and

WHEREAS, the Town Board has further determined that it is in the best interest of the Town and the Consolidated Sewer Districts to increase the estimated total cost of the Sewer Improvements by \$13,270,000 and to increase the amount of bonds authorized to finance the Sewer Improvements by a like amount; and

WHEREAS, the Town Board complied in every respect with all applicable federal, State and local laws and regulations regarding environmental matters, including the Town Board,

acting as Lead Agency for the Sewer Improvement, had heretofore made appropriate and necessary findings pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R., Regulations Part 617.5, and determined that no substantial adverse environmental impact will be caused by the Sewer Improvements, and a Negative Declaration was adopted.

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the new estimated cost thereof, and stating the Town Board would hold a public hearing to hear all persons interested in said increase and improvement of facilities on July 20, 2022 at 7:00 o'clock P.M. (Prevailing Time);

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the date hereof at 7:00 o'clock P.M. (Prevailing Time), with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, on the date hereof, the Town adopted a resolution to consolidate Consolidated Sewer District No. H2 and Sewer District Nos. 8, 10 and 12 and any extensions thereof into a single district to be known as "Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12" (hereinafter the "Consolidated Sewer District").

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the Consolidated Sewer District as hereinabove described, at the estimated maximum cost of \$40,000,000; and it is hereby

ORDERED, that the facilities of the Consolidated Sewer District shall be so increased and improved and that the engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the Consolidated Sewer District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said joint increase and improvement of facilities shall be financed by the issuance of not to exceed \$40,000,000 obligations of the Town; the debt service on such obligations shall be annually apportioned within the Consolidated Sewer District by the Town Board and the amounts so apportioned, shall be assessed, levied and collected from the several lots and parcels of land within the Consolidated Sewer District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and interest on said obligations as the same shall become due and payable, and

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Broome County within ten (10) days after adoption thereof.

DATED: July 20, 2022

(SEAL)

TOWN BOARD OF THE TOWN OF CHENANGO

The adoption of the foregoing Resolution and Order was duly put to a vote, which resulted as follows:

AYES:

NOES:

The Resolution and Order was declared adopted.

\* \* \* \* \*

CERTIFICATE

I, LIZANNE TIESI-KORINEK, Town Clerk of the Town of Chenango, in the County of Broome, State of New York, HEREBY CERTIFY that the foregoing annexed resolution of the Town Board of said Town adopted at a meeting duly called and held on July 20, 2022, has been compared by me with the original resolution as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal  
of said Town of Chenango this \_\_\_\_ day of July, 2022.

(SEAL)

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Lizanne Tiesi-Korinek, Town Clerk  
Town of Chenango

RESOLUTION OF THE TOWN OF CHENANGO, NEW YORK,  
ADOPTED JULY 20, 2022, AMENDING AND CONSOLIDATING  
THE BOND RESOLUTIONS ADOPTED NOVEMBER 6, 2019 AND  
JUNE 20, 2018, EACH AMENDED ON MAY 12, 2021, RELATING  
TO THE JOINT INCREASE AND IMPROVEMENT OF FACILITIES  
OF THE TOWN'S SEWER DISTRICTS

Recital

HEARING

WHEREAS, the Town Board of the Town of Chenango (herein sometimes called "Town Board" and "Town", respectively), in the County of Broome, New York, on behalf of Consolidated Sewer District No. H2, wholly located within the Town, had caused Barton & Loguidice, D.P.C, Binghamton, New York, engineers duly licensed by the State of New York to prepare the map, plan, report and estimate of cost dated April 18, 2018 for the increase and improvement of facilities of such consolidated sewer district, consisting of the (i) construction of improvements to the Northgate Wastewater Treatment Plant, including a new headworks building and the conversion to a membrane biological reactor system, (ii) enhancements to the collection system, including lift stations, and (iii) decommissioning and consolidation of the Pennview Wastewater Treatment Plant, including the construction of a new pump station and force main to convey sewage to the Northgate Wastewater Treatment Plant, and any ancillary or related work required in connection therewith (the "Consolidated Sewer Improvements"), all pursuant to said map, plan and report; and

WHEREAS, the Town Board of the Town on behalf of Sewer District No. 12, wholly located within the Town, had caused Lake Engineering, Binghamton, New York, engineers duly licensed by the State of New York, to prepare the map, plan and report, dated January 24, 2017 and had caused Barton & Loguidice, DPC, Binghamton, New York, engineers duly licensed by the State of New York to prepare an estimate of cost and preliminary engineering report, dated October 2017 and Addendum No. 1, dated July 27, 2018, for the increase and improvement of facilities of the Sewer

District No. 12, consisting of the decommissioning of the Chenango Heights Wastewater Treatment Plant, including the construction of a new pump station and force main to convey sewage to the Northgate Wastewater Treatment Plant, and any ancillary or related work required in connection therewith (the “Sewer District No. 12 Sewer Improvements” and together with the “Consolidated Sewer Improvements” the “Sewer Improvements”), all pursuant to said map, plan and report and related documents; and

WHEREAS, the maximum amount proposed to be expended for the construction of the Sewer Improvements was estimated to be \$23,530,000, which was planned to be financed by the issuance of obligations of the Town and such cost to be assessed, levied and collected from the several lots and parcels of land within each of the respective sewer districts referred to above which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and

WHEREAS, following public hearings, on June 20, 2018 and November 6, 2019, respectively, the Town Board authorized the (i) increase and improvement of facilities of the respective sewer districts, (ii) expenditure of \$23,530,000 therefor, and (iii) issuance of serial bonds of the Town in an aggregate amount of not to exceed \$23,530,000 to finance said estimated total cost of the Sewer Improvements outlined above; and

WHEREAS, due to an increase in costs of construction and building materials, the Town Board heretofore determined that the total cost of said Sewer Improvements was \$26,730,000 and caused an addendum to each map, plan and report to be prepared to reflect an increase in the aggregate cost of said Sewer Improvements; and

WHEREAS, on May 12, 2021, the Town Board further determined that it was in the best interest of the Town and the sewer districts to increase the estimated total cost of said Sewer

Improvements from \$23,530,000 to \$26,730,000 and to also increase the amount of bonds authorized to finance said Sewer Improvements to \$26,730,000, by separate amending bond resolutions adopted on such date; and

WHEREAS, following the opening of bids for the construction of the Sewer Improvements, the Town Board further determined that, due to an increase in costs of construction and building materials, the total cost of said Sewer Improvements is now \$40,000,000; and

WHEREAS, the Town Board has further determined that it is in the best interest of the Town and the Consolidated Sewer District to increase the estimated total cost of the Sewer Improvements by \$13,270,000 and to increase the amount of bonds authorized to finance the Sewer Improvements by a like amount; and

WHEREAS, on the date hereof, the Town adopted a resolution to consolidate Consolidated Sewer District No. H2 and Sewer District Nos. 8, 10 and 12 and any extensions thereof into a single district to be known as "Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and 12" (hereinafter the "Consolidated Sewer District"); and

WHEREAS, the Town Board complied in every respect with all applicable federal, State and local laws and regulations regarding environmental matters, including the Town Board, acting as Lead Agency for the Sewer Improvements, had heretofore made appropriate and necessary findings pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R., Regulations Part 617.5, and determined that no substantial adverse environmental impact will be caused by the Sewer Improvements, and a Negative Declaration was adopted; and

WHEREAS, after a public hearing duly called and held on the date hereof, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of



the Consolidated Sewer District at the estimated maximum cost of \$40,000,000, and ordered that such facilities be so increased and improved; and

WHEREAS, following the consolidation of the existing sewer districts in the Town and any extensions thereof into the Consolidated Sewer District, the Town Board now wishes to amend and consolidate the bond resolutions adopted on June 20, 2018 and November 6, 2019, respectively and each amended on May 12, 2021, into a single bond amended resolution that authorizes bonds in the principal amount of not to exceed \$40,000,000 for the Sewer Improvements.

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHENANGO, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section (A) The Bond Resolutions of said Town duly adopted by the Town Board June 20, 2018, November 6, 2019 and amended on May 12, 2021, entitled:

“BOND RESOLUTION OF THE TOWN OF CHENANGO, NEW YORK, ADOPTED JUNE 20, 2018 AND AMENDED ON MAY 12, 2021, APPROPRIATING \$24,100,000 FOR THE JOINT INCREASE AND IMPROVEMENT OF FACILITIES OF SEWER DISTRICTS NOS. 2, 3, 4, 5, 7, 7A, 8 & 9 AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF \$24,100,000 TO FINANCE SAID APPROPRIATION,”

and

“BOND RESOLUTION OF THE TOWN OF CHENANGO, NEW YORK, ADOPTED NOVEMBER 6, 2019 AND AMENDED ON MAY 12, 2021, APPROPRIATING \$2,630,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF SEWER DISTRICT NO. 12 AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF \$2,630,000 TO FINANCE SAID APPROPRIATION,”

are hereby consolidated and amended to read as follows:

BOND RESOLUTION OF THE TOWN OF CHENANGO, NEW YORK,  
ADOPTED JULY 20, 2022 AMENDING AND COSOLIDATING THE  
BOND RESOLUTIONS ADOPTED ON JUNE 20, 2018, NOVEMBER  
6, 2019, EACH PREVIOUSLY AMENDED ON MAY 12, 2021,  
APPROPRIATING \$40,000,000 FOR THE INCREASE AND  
IMPROVEMENT OF FACILITIES OF CONSOLIDATED SEWER  
DISTRICT NOS. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 AND 12 AND  
AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN  
THE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE SAID  
APPROPRIATION

Offered by: \_\_\_\_\_

Seconded By: \_\_\_\_\_

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHENANGO, IN THE  
COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all the  
members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$40,000,000 for the increase  
and improvement of facilities of the Consolidated Sewer District Nos. 2, 3, 4, 5, 7, 7A, 8, 8A, 9, 10 and  
12, consisting of the (i) construction of improvements to the Northgate Wastewater Treatment Plant,  
including a new headworks building and the conversion to a membrane biological reactor system, (ii)  
enhancements to the collection system, including lift stations, (iii) decommissioning and consolidation  
of the Pennview Wastewater Treatment Plant, including the construction of a new pump station and  
force main to convey sewage to the Northgate Wastewater Treatment Plant and (iv) decommissioning  
of the Chenango Heights Wastewater Treatment Plant, including the construction of a new pump  
station and force main to convey sewage to the Northgate Wastewater Treatment Plant, all as further  
described in the respective map, plan, report and estimate of cost prepared for the Town and referred to

in the Recitals hereof, and any ancillary or related work required in connection therewith (collectively, herein called the "Sewer Improvements"). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$40,000,000. The plan of financing includes the issuance of \$40,000,000 bonds of the Town to finance said appropriation; the debt service on such obligations shall be annually apportioned among the Districts by the Town Board and the amounts so apportioned, shall be assessed, levied and collected from the several lots and parcels of land within each of the Districts which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and interest on said obligations as the same shall become due and payable.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$40,000,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "*Press & Sun Bulletin*," a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (B) The amendment of the bond resolution set forth in Section A of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

The adoption of the foregoing Amending Bond Resolution was duly put to a vote, which resulted as follows:

AYES:

NOES:

The Resolution was declared adopted.

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ESTABLISHING A HIGHWAY EQUIPMENT RESERVE FUND**

At a meeting of the Town Board of the Town of Chenango held at Town Hall, 1529 State Route 12, Binghamton, NY on July 20, 2022, the following resolution was offered and seconded:

**WHEREAS**, the Town of Chenango desires to establish a Reserve Fund for Highway Equipment Expenditures to finance future highway equipment purchases.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Section 6-c of General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Highway Equipment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of highway equipment; and it is further

**RESOLVED** that the Chief Fiscal Officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Board may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Chenango. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund; and it is further

**RESOLVED** that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c; and it is further

**RESOLVED** that this Resolution shall 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 on 20th day of July, 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: July 20, 2022

\_\_\_\_\_  
Lizanne Tiesi-Korinek  
Town Clerk of the Town of Chenango

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING LEASE OF REAL PROPERTY TO USPS**

The Town Board of the Town of Chenango, duly convened in Regular Session, July 20, 2022, does hereby RESOLVE as follows:

**WHEREAS**, the Town of Chenango has negotiated with the United State Postal Service (“USPS”) for the lease of certain portion of real property owned by the Town and located at 1041 Castle Creek Road, Binghamton, NY 13744 (Tax Map No. 066.03-1-6.1) for the benefit of residents in the surrounding area, and

**WHEREAS**, the USPS has proposed a lease agreement which is attached hereto and incorporated herein as **Exhibit A**, and

**WHEREAS**, the Town Board finds the lease of such property will not substantially interfere with the Town’s ability to utilize the property for Town purposes, and the lease will be of a surplus portion of the property; 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 a contract and all necessary legal documents to lease the aforementioned surplus portion of Tax Map No. 066.03-1-6.1, together with all improvements, personality, and fixtures, to the USPS, for the consideration set forth in the above reference agreement; and

**RESOLVED**, that, pursuant to Town Law §64(2), this resolution is subject to a permissive referendum.

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 this 20<sup>th</sup> day of July, 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: July 20, 2022

\_\_\_\_\_  
Lizanne Tiesi-Korinek  
Town Clerk of the Town of Chenango