

DRAFT MEETING MINUTES
City of Binghamton Commission on Conservation of the Environment
Thursday April 11, 2024 6:00 pm
Work Session Room
Minutes Reported By Richard Jannaccio

I. Call To Order

6:05 pm by chair Luke Day, with the chair stating that this was the first meeting of the Commission for Conservation of the Environment, a title which is presently in the City Charter, but which may be changed and updated.

II. Roll Call

Present: Luke Day (chair); Richard Jannaccio; Ashley Seyfried; Tom Costello; Darius Bang; Scott Lauffer; Julian Shepard *Members Late:* Matt Ryan (arrived 6:23 pm) *Members Absent:* Eric Denk
Ex-officio Members Present:
Others in Attendance: Samantha Costello, Deputy City Clerk; Jill Shultz; William Altman; Trevor Fornara

III. Public Comment

No one responded to the invitation to speak.

IV. Election of Commission Acting Secretary

Motion: Luke Day
Second: Tom Costello
All in favor

In Eric's absence, Richard volunteered to record minutes for April 11, 2024 meeting. No objections

V. New Business

1. **Review of Draft Bylaws and Meeting Rules Open Discussion and Vote** Intro by Luke Day. Richard Jannaccio moved to ratify the current draft of the bylaws, with the understanding that a bylaws committee would be formed to revise and resubmit for final approval by the Commission. Seconded by Julian Shepard. Approved unanimously.
2. **Discussion, Proposal, and Establishment of Committees and Committee Task Forces** *The following Committees were discussed:*
 - a. **Bylaws Committee.** Approval of the bylaws was followed by unanimous approval to form a Bylaws Committee consisting of Richard Jannaccio and Scott Lauffer.

- b. **Climate Action & Resiliency Committee.** The basis for this committee, is to review, analyze, and report our findings once we have access to the data supporting the City Climate Action Plan and GHG Inventory. Motion to form the Committee by Tom Costello; seconded by Richard Jannaccio. Unanimous approval. Matt Ryan arrives (6:23 pm). Members of the Committee to consist of: Julian Shepherd (*later withdrawn*) Ashley Seyfried; Darius Bang; Scott Lauffer; Luke Day; and Matt Ryan. Luke Day stated that this committee would likely branch out into a number of specific task force committees with community members participating.
- c. **Managed Native Gardens Task Force Committee** Luke proposed this committee task force to make use of vacant lots. Jill Shulz cited thewildones.org as a reference. Motion to form this committee task force by Tom Costello, seconded by Ashley Seyfried. Unanimous approval. The Managed Native Gardens Task Force Committee is to consist of members Tom Costello, Ashley Seyfried, Jill Shultz and Julian Shepard, who asked to be taken off the Climate Action & Resiliency Committee. As a footnote, Julian cited the Shade Tree Commission (STC), spearheaded by Dick Andrus, with a focus on fruit-tree orchards as street trees and for other city-owned properties. He said the STC consisted of appointees made jointly by the mayor and city council, and which had been active when Matt Ryan was mayor but had become dormant in recent years. Luke suggested working with them. Tom pointed out that maintaining public land with respect to removing garbage and debris and the expense involved in such maintenance will be an important consideration. The goal is to make productive use of such properties that are now merely a liability to taxpayers.
- d. **Ecotoxicology Committee** Richard Jannaccio proposed an Ecotoxicology Committee to deal with toxins in the environment. The purpose of this committee would include assessing toxic threats in the community and make the public aware of them. Environmental justice is to be included. Tom Costello said we could fill a gap not addressed by the Uniform Code; local agencies that deal with threats on commercial properties do not address toxic threats on residential properties, nor do they address impacts of commercial operations on the surrounding community.. Richard Jannaccio moved to establish this Ecotoxicology committee. Second by Darius Bang. Unanimous approval. Committee to consist of Richard Jannaccio, Darius Bang, and Matt Ryan.
- e. **Public Outreach & Education Committee** Proposed by Ashley Seyfried. Richard Jannaccio moved to approve this committee. Second by Darius Bang. Unanimously approved. Richard Jannaccio alone committed to be on the committee. Scott Lauffer expressed an interest but deferred a decision to be a committee member.
- f. **Planning & Zoning Task Force Committee** Proposed by Ashley Seyfried. To be used in an advisory capacity with City Planning. Julian Shepard suggested inviting short 10-minute Planning Commission presentations

at our meetings. Tom Costello pointed out that at the project level there is a 30-day window to act. Luke suggested that the Commission be copied on such applications being considered by City Planning so that we may comment. Luke said that he will put that request forward and suggested tabling a vote on formally establishing the proposed task force committee. Motion to table by Tom Costello. Second by Julian Shepard. Unanimously approved.

- g. **Legislative Committee** Richard Jannaccio moved to establish a Legislative Committee to see what legislative needs we have relating to protecting our environment, see what we can learn from such laws in other communities, and interact with the other Commission committees on this level of moving from investigation and discussion to requesting legislation. Requests for legislation would go to City Council. Luke said it may be more down the road. Richard said we could also look for laws that are already on the books but not being enforced, as well as investigate how other communities deal with similar environmental issues, there potentially being a lot of gaps after not having an active Commission for a decade. Luke said we need to first find out where we are at. Tom said it would require a lot of work to do right. Richard suggested that it could be like the bylaws committee whereby it becomes active when needed and becomes dormant when not needed. Further, he said, it could deal with issues brought to the Commission by the public that does not fit neatly into being handled by one of the committees. William Altman, professor at SUNY-Broome, said that such a committee could be a very good service learning project for people at both SUNY-Broome and Binghamton University. Both have courses relating to this and both are still looking for such projects.

Contact at SUNY-Broome Professor Kathleen McKenna (sp?) or Professor Kennie Leet. Darius Bang said he is taking an Environmental Law class at BU and his professor, Charles Wage, may also be interested. Julian Shepard said that BU's Center For Civic Engagement monitors lots of internships and could be contacted. Richard Jannaccio moved to form a Legislative Committee. Second by Darius Bang. Three in favor. Others wanted to wait. Motion was withdrawn for a future date. Matt Ryan said he liked the idea and suggested looking to other communities for best practices. Matt and Luke both expressed interest in pursuing the apparent potential for student involvement in investigations that would lead to proposing environmental legislation. If we can get the benefits of their experience and knowledge, that would be great, Luke Day said. Julian Shepard mentioned the Conservation Advisory Commission, from the 1990's, which he said had faded after Mayor Juanita Crabb did not support it.

- VI. **Additional Agenda Items: Introductions by Members & Other Attendees** The Chair asked members and attendees to introduce themselves:

Richard Jannaccio introduced himself as a biologist and journalist, BA in biology and chemistry from Hunter College and an MA in Journalism with the Science Writing program at the University of Wisconsin-Madison. His environmental awareness grew after traveling around the country. He reported on a variety of environmental issues, including PCBs in the Great Lakes, and won an award for reporting on bioweapons and chemical weapons research. He served as co-chair of the Army Corps of Engineers Restoration and Advisory Board for Fort Totten in Bayside, Queens. He attended Professor Jessica Hua's course in Ecotoxicology at BU. He is very interested in the impact of environment and health and political policies that affect both.

Ashley Seyfried studied environmental studies and political science as an undergraduate, with a Master's in public administration. She has worked in transportation planning and currently for the Southern Tier Regional Planning Board with a big focus on storm water. She runs the Climate Smart Communities Program, covering three counties.

Tom Costello is a former supervisor of Code Enforcement and Chief Zoning Officer for the City of Binghamton, where he, along with Corporation Counsel, refereed zoning decisions before they went to the Zoning Board of Appeals. He also served on the City Planning Commission and worked for the Broome County Engineering Department. His education is in history as an undergraduate, with graduate degrees in Fine Arts. He said he brings to the table a lot of experience in local government.

Matt Ryan has an undergraduate degree in Environmental Studies from BU and a law degree. Dick Andrus approached him and asked if he would teach Environmental Law at BU, which he did for 10 years. He was Mayor of Binghamton for 8 years.

Darius Bang is an Environmental Studies student at BU, from Long Island, and works at the Ross Park Zoo.

Scott Lauffer worked at IBM for 35 years. He graduated from SUNY-Binghamton. He is an activist and has been active with the Sierra Club and Vines. Scott worked with Julian Shepard doing water monitoring of local streams. He is interested in water quality and has looked at the city's water filtration and treatment plant.

Julian Shepard has been teaching biology at BU for 50 years, and is recently retired. His main interest is insects, but he has taught courses in birds, wetlands ecology, tropical ecology, physiology, and zoology, among others. His community involvement spans many years. As such, his interests include nature, urban nature, and climate change.

Luke Day has 40 years of experience as a pipe-fitter and as a welder. He worked for the City of Binghamton as Commissioner of Public Works, from 2006 -2013. He also worked building the Fukushima Unit 3 nuclear plant in Japan in 1996, and worked at Indian Point nuclear plant in NY, as well as various chemical plants, and paper mills.

Guests:

Jill Shultz is a science writer with a biology degree from Cornell and a master's degree. She is involved with two local chapters of the wild ones, wildones.org.

Bill Altman is an educational psychologist, professor at SUNY-Broome, with a focus on how people learn, how they teach others, and organizational communication. He teaches people how to think critically.

Trevor Fornara is a recent BU graduate in political philosophy. He is currently civic education coordinator with the Center For Civic Engagement at Binghamton University.

VII. Climate Change Summit

Two-day event at two locations on BU campus: to be held April 26 and April 27, 2024. Register with QR Code. Ashley gave a brief description of the Summit, and she will check with City Council about our Commission's status vis a vis NYS Climate Action Council (CAC) membership.

VIII. Various Comments

Tom Costello raised the issue of the energy code as part of the building code, and although it has become increasingly detailed, the fossil fuel industry has lobbied against it to get crucial parts of it removed.

Tom also raised the topic of a discussion at a recent City Council meeting during which Council member Robert Cavanaugh requested a report from the CCE in 30 days, the end of April. Luke responded that it had to do with the Commission's ability to access data from different city departments relevant to our work on Climate Action and fuel conservation.

IX. Future Meetings: Location, Date, Time

City Council president Hadassah Mativetsky requested a daytime meeting time so that she can attend. Deputy city clerk Samantha Costello joined the discussion. The various rooms at City Hall and rooms at the Broome County Public Library were discussed as alternative meeting sites. Sann will check with Bob about Zoom options. The Library may be preferred for evening committee meetings because after 6 pm City Hall would have to pay for extra security. Department heads were deemed more likely to attend daytime meetings. Following discussion of options, it was proposed to hold CCE meetings on the 3rd Thursday of the month at 1:00 pm. Location to be determined. The Agenda and any supplementary materials to be put into a packet must be given to the clerk's office 24 hours in advance of the meeting.

X. **A member to chair meetings in the absence of the chair**

Scott Lauffer nominated Richard Jannaccio to chair meetings in the absence of Commission chair Luke Day. Second by Julian Shepard. Unanimously approved.

XI. **Miscellaneous questions**

Scott asked if there will be meetings over the summer. Luke said in good weather he will be gone and meetings should be held only when necessary. Scott asked if we can do business on email. Luke answered that we can do all kinds of business through email. Ashley asked about using a shared Google Drive, and Luke responded that would be great. Tom Costello said that as an official city committee, we have to follow rules of the IT department which prohibits the aforementioned. Ashley will email Samantha Costello with the request concerning Google Drive. Luke suggested that for issues that we are not sure of, we can put them in the bylaws, which will be subject to approval by Corporation Counsel.

Tom Costello pointed out that the city clerk's office is responsible for handling FOIA requests for information. He stated that there is a difference between information and data or information and records, so if we are corresponding with email, using personal email, and someone submits a FOIA request for our emails, does a personal email constitute a legal record in a court of law? Luke pointed out that we do not have a city email. Corporation Counsel will be contacted to resolve this issue. Motion by Tom Costello for Tom Costello to contact corporation counsel with regard to use of email and consequences vis a vis FOIA requests. Second by Scott Lauffer. Unanimously approved.

XII. **Adjournment** Motion: Tom Costello Second: Scott Lauffer

All in favor

Meeting adjourned at approximately 8:30 pm