



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: June 19, 2019

Sponsored by Council Members: Matzo, Papastrat, Scaringi, Cronce, Scanlon, Taylor

Introduced by Committee: Municipal & Public Affairs

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH NEW
YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION FOR
INSPECTION OF THE WATER FACILITY
PROPERTY

WHEREAS, the New York State Legislature enacted Title 12 of Article 27 of the Environmental Conservation Law (“ECL”) which relates to the mitigation and remediation of certain solid waste sites and drinking water contamination and gives the Department jurisdiction to conduct preliminary investigations; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) has requested access to the City’s Water Treatment Plant located at 1 Bell Avenue, tax parcel 160.36-1-4 (the “Site” or the “Real Property”) consisting of 3 acres, more or less; and

WHEREAS, the Site is a “solid waste site”, as defined under ECL §27-1201(6); and

WHEREAS, the City wishes to enter into the agreement with the NYS DEC.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with the NYS DEC for access to the City’s Water Treatment Plant located at 1 Bell Avenue for preliminary investigation to determine if the site is causing contamination of a drinking water source.

Introductory No. R19-49

Permanent No. R19-48

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A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR INSPECTION OF THE WATER TREATMENT FACILITY

The within Resolution was adopted by the Council of the City of Binghamton.

Date 6/19/19

City Clerk Elizabeth D. McGinnis

Date Presented to Mayor 6/20/19

Date Approved 6/20/19

Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilman Livingston	✓			
Councilwoman Cronce	✓			
Councilman Taylor	✓			
Councilman Papastrat	✓			
Councilman Matzo	✓			
Councilman Scanlon	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 6/19/19. Approved by the Mayor on 6/20/19.

(JN)