



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Giovanni Scaringi, Ph.D., City Council President

Janine Faulkner, City Clerk

## CITY COUNCIL WORK SESSION AGENDA

City Hall, 38 Hawley St, Binghamton

6pm Monday, October 16, 2023

*The Work Session begins at 6pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.*

Time	Committee	Chair	RL/Topic	Pages	Presenter
6:00pm	Planning	Resciniti	<b>RL23-222:</b> Amend the Zoning Map to rezone 9 parcels between Robinson Street and Walter Ave from I-3 Heavy Industrial to C-1 Service Commercial	1-3	Tito Martinez
6:05pm	Finance	Scanlon	<b>*RL23-223:</b> Authorizing the Mayor to enter into an agreement with CJS Architects for the Water Street Parking Garage	4	Ron Lake
6:10pm	Rules/SS	Scanlon	<b>RL23-201:</b> To require elected and appointed officials to submit an annual financial disclosure declaration <b>RL23-202:</b> To enact a Local Law repealing and replacing the Code of the City of Binghamton, Chapter 45A, Human Rights Commission	5-22	Councilmember Friedman
6:25pm	-----	-----	<b>Pending Legislation:</b> <i>*Found on the website calendar with the prior Work Session documents.</i>  <i>*Adopting the 2024 tax budget as amended</i>  RL23-203: To authorize the Mayor to enter into agreements with WRF for restoration of Ross Park Carousel rides and supportive pieces RL23-204: To amend the 2023 General Fund for Fire Department to increase Overtime RL23-206: To amend the 2023 General Fund for Parks & Recreation Dept to increase additional parks expenses RL23-207: To amend the 2023 General Fund for Corp Counsel Dept to increase legal expenses RL23-208: To authorize the sale of 32 and 34 Munsell St & 75 and 77 Liberty St to Greater Opportunities for Broome and Chenango Inc RL23-209: To authorize the release of funds for Underwater Screening Services PO overage amount		Janine Faulkner



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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			<p>RL23-210: To authorize the BLDC to provide a revolving fund loan to Puerta Roja LLC for 59 Court Street</p> <p>RL23-214: Sale of a portion of Parlor City Commons to Confluence Properties II, LLC</p> <p>RL23-215: To amend the City Charter Chapter 18, Boards Commissions and Committee Procs</p> <p>RL23-216: To amend the 2023 Bond Ordinance to increase the amount for total cost of Conlon Field Turf Project</p> <p>RL23-217: To void Permanent R23-51</p> <p>RL23-218: Bond Ordinance for Water Street Parking Garage</p> <p>RL23-219: To amend the City Charter Chapter 127 Procurement Policy</p> <p>RL23-220: To amend the 2023 General Fund and Insurance budgets for Legal expenses to be charged to Sewer Fund</p> <p>RL23-221: To amend the 2023 General Fund budget per Fire Dept Tier 6 agreement for Tier 6 Firefighters benefits</p>		
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## COMMITTEE REPORTS

*\*Please Expedite for Next Business Meeting*



# Legislative Branch

RL Number: <b>23-222</b>
Date Submitted: <b>10/6/23</b>

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

### Applicant Presenting RL at Work Session

TITO MARTINEZ ASSISTANT DIR. OF PLANNING 607-772-7028  
 (Print Name) (Title) (Phone number)

Signature:  Date: 08/23/2023

### To Be Completed By Applicant

**Proposed Title:** AN ORDINANCE TO AMEND THE ZONING MAP TO REZONE 9 PARCELS BETWEEN ROBINSON ST AND WALTER AVE FROM I-3 HEAVY INDUSTRIAL DISTRICT TO C-1 SERVICE COMMERCIAL DISTRICT. (list of parcels attached)

**Executive Summary (Explain why legislation is necessary):** An application for the construction of a new facility at this location prompted a review of the current zoning as compared to the current land use of this area. While the area is zoned for Heavy Industrial use, it is almost entirely currently commercial. The Binghamton Comprehensive Plan also recommends that the area be zoned for General Commercial use. Therefore, the Planning Dept. recommends that the area be rezoned C-1 Service Commercial in accordance with the Comprehensive Plan.

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

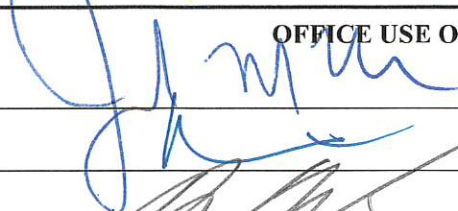
**RL related to previously adopted legislation:** Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

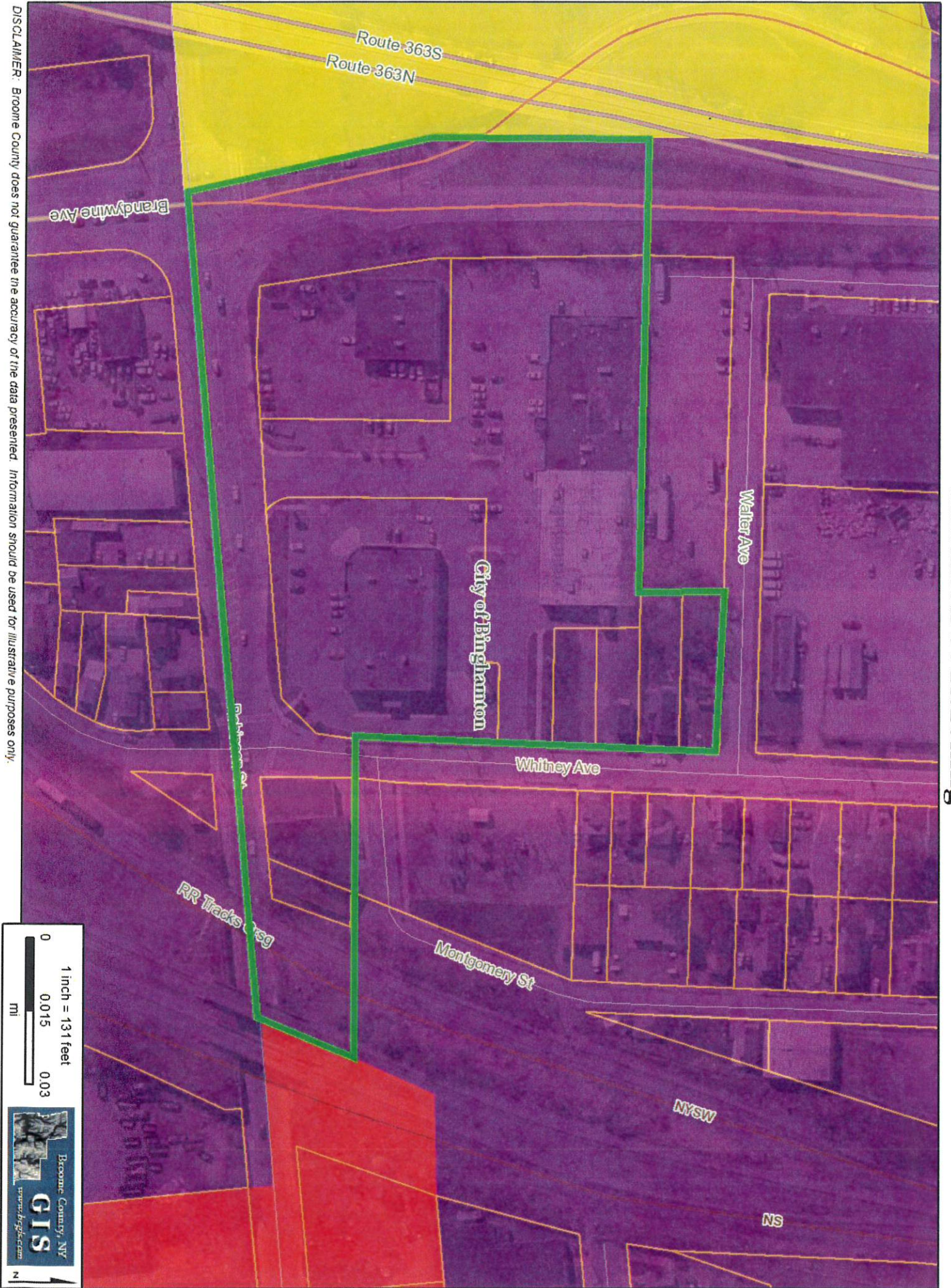
Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

Public Hearing required? Yes  No  SEQRA required? Yes  No

Additional information related to this RL attached? Yes  No

OFFICE USE ONLY	
Mayor:	
Comptroller:	_____
Corp. Counsel:	_____
Finance <input type="checkbox"/>	Planning <input checked="" type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>

# Robinson St Rezoning



DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.

<b>PARCEL_ID</b>	<b>PARCEL_ADDRESS</b>	<b>LANDUSE</b>
144.84-1-23	4 MONTGOMERY ST	Commercial
144.83-4-2.1	71 ROBINSON ST	Commercial
144.83-4-5.1	75 ROBINSON ST	Commercial
144.83-4-2.2	85 ROBINSON ST	Commercial
144.84-1-25	89 ROBINSON ST	Commercial
144.84-1-4	33 WHITNEY AVE	Commercial
144.84-1-3	35 WHITNEY AVE	Residential
144.84-1-2	39 WHITNEY AVE	Residential
144.84-1-1	41 WHITNEY AVE	Vacant



Expedite  
After Bond Ordinance

# Legislative Branch

RL Number:  
23-223  
Date Submitted:  
10/11/23

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

### Applicant Presenting RL at Work Session

RON LAKE CITY ENGINEER 607-772-7007  
(Print Name) (Title) (Phone number)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### To Be Completed By Applicant

**Proposed Title:** Resolution to authorize the Mayor to enter into an agreement with CJS Architects for the Water Street Parking Garage construction design and administration and Boscovs' Roof Design.

**Executive Summary** (Explain why legislation is necessary): Resolution to authorize the Mayor to enter into an agreement with CJS Architects for \$70,932 for Boscovs Roof Design and \$100,000 for Construction Administration.

FUNDS WILL BE AVAILABLE UPON PASSING OF BOND ORDINANCE

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

**RL related to previously adopted legislation:** Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

**Public Hearing required?** Yes  No

**SEQRA required?** Yes  No

**Additional information related to this RL attached?** Yes  No

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corp. Counsel:	
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



# Legislative Branch

RL Number: <u>23-201</u>
Date Submitted: <u>9/21/23</u>

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

### Applicant Presenting RL at Work Session

Aviva Friedman	Councilmember	607 772 7236
<i>(Print Name)</i>	<i>(Title)</i>	<i>(Phone number)</i>

Signature: \_\_\_\_\_ Date: 09/20/2023

### To Be Completed By Applicant

**Proposed Title:** An ordinance requiring elected and appointed officials to submit an annual financial disclosure declaration (see attached)  
\_\_\_\_\_  
\_\_\_\_\_

**Executive Summary** (*Explain why legislation is necessary*): Annual financial disclosure declarations for elected and appointed Binghamton officials increases transparency and helps to prevent financial conflicts of interest.  
\_\_\_\_\_  
\_\_\_\_\_

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

**RL related to previously adopted legislation:** Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

**Public Hearing required?** Yes  No

**SEQRA required?** Yes  No

**Additional information related to this RL attached?** Yes  No

OFFICE USE ONLY						
Mayor:	_____					
Comptroller:	_____					
Corp. Counsel:	_____					
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input checked="" type="checkbox"/>	

**STATEMENT OF FINANCIAL DISCLOSURE FOR THE COUNTY OF BROOME**

PLEASE RETURN TO THE CLERK OF THE COUNTY LEGISLATURE BY **APRIL 15, 2019**  
(For Calendar Year Ending December 31, 2018 – to be filed in 2019)

**1. Name and Address**

\_\_\_\_\_  
Last Name, First Name, Middle Initial

\_\_\_\_\_  
Residence Address Telephone Number

\_\_\_\_\_  
Department/Agency/Board & Title

\_\_\_\_\_  
Department/Agency/Board Address Telephone Number

**2. Spouse and Children**

List: Name of your spouse (if married); and the names and age of any dependent children.

\_\_\_\_\_  
Spouse

\_\_\_\_\_  
Child/Age

\_\_\_\_\_  
Child/Age

\_\_\_\_\_  
Child/Age

\_\_\_\_\_  
Child/Age

**PLEASE COMPLETE ALL SECTIONS AND MARK N/A WHERE APPROPRIATE**

**Note: For questions 3 to 6, do not report exact dollar amounts, instead report categories of amounts, using the following:**

- Category A: under \$5,000
- Category B: \$5,001 to \$20,000
- Category C: \$20,001 to \$50,000
- Category D: \$50,001 to \$100,000
- Category E: Over \$100,000
- N/A: Not Applicable

**3. FINANCIAL INTERESTS**

**a. Business Positions**

List any office, trustee, directorship, partnership, or other position in any business, association, propriety, or not-for-profit organization held by you, your spouse, and/or dependent children, if any. Indicate whether these businesses are involved with the COUNTY OF BROOME in any manner.

Name of Family Member	Position	Organization	County Department or Agency and Nature of Involvement
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6



**b. Outside Employment**

List any outside occupation, employment, trade, business, or profession providing more than \$1,000/year for you, your spouse and dependent children, if any. Indicate whether such activities are regulated by any State or local agency.

**Note:** If you, your spouse and/or dependent children are not employees of Broome County, you need not list the "Category of Amount" with regard to outside employment.

Name of Family Member	Position	Name, Address & Description of Organization	State/Local Agency	Category of Amount

**c. Future Employment**

Describe any contract, promise or other agreement between you and anyone else with respect to your employment after leaving your County office or position.

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**d. Past Employment**

Identify the source and nature of any income in excess of \$1,000 per current year from any prior employer including

- deferred income;
- income from prior contributions to: a) a pension or retirement fund, or b) profit sharing plan;
- severance pay; or
- payments under a buy-out agreement.

**Note:** If you, your spouse/or dependent children are not employees of Broome County, you need not list the "Category of Amount" with regard to outside employment.

Name and Address of Income Source	Description of Income (i.e., pension, deferred, etc.)	Category of Amount

**e. Investments**

List all investments by you, your spouse, and/or dependent children in excess of \$5,000, including:

- Any business, corporation or partnership (also list if your investment is greater than 5% of the value, even if not over \$5,000);
- Other assets, including stocks, bonds, loans, pledged collateral, and other investments for you, your spouse, and/or dependent children.

**Note:** Exclude all mutual funds and any interest in publicly traded companies (unless you own more than 5% of the publicly traded company/ies).

Name of Family Member	Name and Address of Investment	Description of Investment	Category of Amount

**f. Real Estate**

List the location of all real estate within Broome County or within five (5) miles thereof, in which you, your spouse, and/or dependent children have an interest for investment purposes, regardless of value.

**Note:** Do not include personal residence and vacation homes.

Name of Family Member	Name and Address of Real Estate	Description of Investment	Category of Amount

**g. Other Income**

Identify the source and nature of any other income in excess of \$1,000 per year from any source not described above, including teaching income, lecture fees, consultant fees, contractual income, or other income of any nature, for you, your spouse and/or dependent children.

**Note:** Exclude income from a trust or estate created by a relative for your benefit, or that of a spouse/dependent child.

**Note:** If you, your spouse and/or dependent children are not employees of Broome County, you need not list the "Category of Amount" with regard to outside employment.

Name of Family Member	Name and Address of Income Source	Nature of Income	Category of Amount

**4. GIFTS AND HONORARIUMS**

List the source of all gifts totaling in excess of \$250.00 from any one donor received during the last year by you, your spouse or dependent children.

**Note:** Do not include gifts from a relative. (The term "gifts" includes gifts of cash, property, personal items, travel, entertainment, payments to third parties on your behalf, forgiveness of debt, honorariums, and other payments that are not reportable as income).

Name of Family Member	Name and Address of Donor	Category of Amount

**5. THIRD-PARTY REIMBURSEMENTS**

Identify and describe the source of any third-party reimbursement for travel-related expenditures in excess of \$250.00 for any matter that relates to your official duties for Broome County. (The term "reimbursement" includes any travel-related expenses provided by anyone, other than the County of Broome, for speaking engagements, conferences, or fact-finding events that relate to your official Broome County duties).

Source	Description	Category of Amount

**6. DEBTS**

List debts of you, your spouse, and/or dependent children in excess of \$5,000 as of the date of filing of this statement, other than debts owed to a relative. Include the name of the creditor and identify any collateral pledged to secure payment of any such liability. If any such reportable liability has been guaranteed by any third person, list the liability and the guarantor.

**DO NOT LIST:**

- Liabilities incurred by, or guarantees made by you, your spouse, any proprietorship, partnership or corporation in which you/your spouse have an interest, if incurred or made in the ordinary course of the trade, business or professional practice of you or your spouse.
- Any obligation to pay maintenance in connection with a matrimonial action, alimony, or child support.
- Revolving charge account information (credit cards).
- Any loan to finance educational costs.
- Any loan to purchase your personal residence or your vacation home.
- Any loan for home improvements in a primary or vacation residence.
- Any loan for the purchase of a personally owned motor vehicle.
- Any loan for household furniture and/or appliances.

Name of Creditor or Guarantor	Type of Liability and Collateral, if any	Category of Amount

**7. INTERESTS IN CONTRACTS**

Describe any interest of you, your spouse, or your dependent children in any contract involving the County of Broome or any municipality within the County of Broome.

Name of Family Member	Contract Description

**8. POLITICAL PARTIES**

List any political position you held within the last five (5) years as an officer of any political party, political committee, or political organization. The term "political organization" includes any independent body or any organization that is affiliated with or a subsidiary of a political party.

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**I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE INFORMATION DISCLOSED ON THIS FORM IS ACCURATE AND COMPLETE.**

Signature

Date



# Legislative Branch

RL Number:  
23-202  
Date Submitted:  
9/21/23

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

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### Applicant Presenting RL at Work Session

Aviva Friedman Councilmember 607 772 7236  
 (Print Name) (Title) (Phone number)

Signature: Date: 09/18/2023

### To Be Completed By Applicant

**Proposed Title:** A local law repealing and replacing the Code of the City of Binghamton Chapter 45A: Human Rights Commission, Section 25: Membership, Rules, and Procedures, Subsections B and D

**Executive Summary (Explain why legislation is necessary):** Since the language of appointment procedures was changed in 2016, the Human Rights Commission has remained empty. This law would change the language regarding membership recruitment/appointment back to the original language in Local Law 11-3. Chapter 45A, Section 25, Subsections B and D are to be replaced with Local Law 11-3 Chapter 45, Section 25, subsections B, C, and D

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

**RL related to previously adopted legislation:** Perm. number LL 11-3, 16-01, adoption date 02/03/2016

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

**Public Hearing required?** Yes  No  **SEQRA required?** Yes  No

**Additional information related to this RL attached?** Yes  No

**OFFICE USE ONLY**

Mayor: \_\_\_\_\_

Comptroller: \_\_\_\_\_

Corp. Counsel: \_\_\_\_\_

Finance  Planning  MPA  PW/Parks  Employees  Rules/Special Studies



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: December 7, 2011

Sponsored by Council Members: Webb, Collins, Massey, Gerchman, Rennia, Kramer, ~~Weslar~~

Introduced by Committee: Municipal and Public Affairs

LOCAL LAW No. 3 of 2011  
*entitled*

A LOCAL LAW ESTABLISHING THE  
BINGHAMTON HUMAN RIGHTS  
COMMISSION

WHEREAS, pursuant to General Municipal Law § 239-o, the Council of the City of Binghamton wishes to establish the Binghamton Human Rights Commission (the "Commission"); and

WHEREAS, to establish this Commission, City Council wishes to adopt Chapter 45A of the Code of the City of Binghamton, outlining the purpose and function of the Commission, as set forth in "Exhibit A" annexed hereto.

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

Section 1. That the Code of the City of Binghamton is amended to add Chapter 45A, *Binghamton Human Rights Commission*, as annexed hereto and made a part hereof.

Section 2. That this Local Law shall take effect upon filing with the Secretary of State.

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 12/7/11. Approved by the  
Mayor on 12/11/11.

Introductory No. 1111-3

Permanent No. 1111-3

Sponsored by City Council Members:  
Westlar, Gerchman, Rennia, Webb, Massey, Kramer,  
Collins, ~~Westlar~~

A LOCAL LAW ESTABLISHING THE  
BINGHAMTON HUMAN RIGHTS COMMISSION

The within Local Law was adopted by the Council of  
the City of Binghamton.

Date DECEMBER 7, 2011

City Clerk Shirley R. Sparks

Date Presented to Mayor DECEMBER 8, 2011

Date Approved 12/11/11

Mayor Matthew TP

	Ayes	Nays	Abstain	Absent
Westlar	✓			
Gerchman	✓			
Rennia	✓			
Webb	✓			
Massey	✓			
Kramer	✓			
Collins	✓			
Total	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>

Code of the City of Binghamton

Adopted  Defeated

3 Ayes 0 Nays 0 Abstain 0 Absent

## CHAPTER 45A

### Binghamton Human Rights Commission

#### **§45-20. Name**

Pursuant to General Municipal Law § 239-o, the City of Binghamton hereby creates the Binghamton Human Rights Commission (the "Commission").

#### **§45-21. Purpose**

The purpose of the Commission is to condemn discrimination in all its forms, to educate the public, and to pursue by all appropriate means and without delay a policy of eliminating discrimination against people based on age, race, color, creed, religion, national origin, ancestry, disability, marital status, sex, sexual orientation, gender identity or expression, weight or height, veteran status, or criminal conviction to the extent provided by Correction Law §752.

#### **§45-22. Mission, General Duties, and Powers**

The guiding mission of the Commission is to:

A. Foster mutual respect and understanding for the rights of all persons among the diverse communities that comprise the general population of the City of Binghamton and to encourage equal treatment of residents and visitors on the basis of age, race, color, creed, religion, national origin, ancestry, disability, marital status, sex, sexual orientation, gender identity or expression, weight or height, veteran status, or criminal conviction only to the extent provided by Correction Law §752, with a view to reducing and eliminating such alleged discrimination through the process of conference, conciliation and persuasion.

B. To conduct and recommend programs and conventions to educate and increase positive and just relationships among inhabitants of the City of Binghamton. To educate the public generally regarding Federal, State and Local human rights law as well as International human rights law (e.g., Universal Declaration on Human Rights, Standard Minimum Rules for Treatment of Prisoners, International Convention on the Elimination of all forms of Racial Discrimination, Convention on the Elimination of Discrimination Against Women) and, whenever possible and practical, to include all the municipalities that comprise the "Greater Binghamton Area" in such educational opportunities.

C. To hold conferences, and other public meetings in the interest of the constructive resolution of racial, religious and other tensions, and the prejudice and discrimination occasioned thereby.

D. To inquire into incidents of tension and conflict among or between various racial, ethnic, religious groups, as well as groups based on sexual orientation or gender identity or expression, and to take such action as may be designed to alleviate such tensions and conflict consistent with this Chapter.

E. To encourage and stimulate agencies under the jurisdiction of the City of Binghamton to take such action, including legislative and other measures to modify or abolish existing laws, regulations, customs and practices which constitute discrimination, as will fulfill the purpose of this Chapter.

F. To encourage other public and private authorities and institutions, including, but not limited to: governmental authorities, educational institutions, social services, health, and employment or other organizations or enterprises, to act in conformity with International, Federal, State and Local human and civil rights laws.

G. To receive and review complaints of alleged discrimination because of age, race, color, creed, religion, national origin, ancestry, disability, marital status, sex, sexual orientation, gender identity or expression, weight or height, veteran status, or criminal conviction only to the extent provided by Correction Law §752, to seek the active assistance of the New York State Division of Human Rights in the solution of complaints which fall within the jurisdiction of the Division and to assist those individuals who believe they have or could have a valid claim under the City of Binghamton Human Rights Law.

H. To report complaints to the New York State Division of Human Rights alleging unlawful discriminatory practices under Article Fifteen of the New York State Executive Law.

I. To engage in periodic research or cooperate in research on emerging human rights issues, and where desirable, to make the results of such studies public in the form of issuing reports and studies.

J. To enlist the cooperation and participation of the groups representing the diversity of Binghamton, including community organizations, industry and labor organizations, media or mass communication, fraternal and benevolent associations, and other groups in an educational campaign devoted to fostering among the diverse groups of the community mutual esteem, justice, and equity and opening new opportunities into all phases of community life for all individuals.

K. To receive, accept, and use and expend public grants and private gifts, donations or bequests and other payments, goods, and services, notwithstanding any other provision of law.

L. To submit an annual report to the City Council of the City of Binghamton and to furnish a copy thereof to the New York State Division of Human Rights. Such report will include a financial report, summary of educational programs, research, investigations, and reports to New York State Division of Human Rights.

**§45-23. Officers and employees; expenses**

The Commission shall have the power and authority to employ an executive director, a secretary and such attorneys, experts and other employees as may be necessary, within the amount made available by City Council or from public grants and private gifts, donations or bequests and other payments. The City of Binghamton is hereby authorized and empowered to make such appropriations for such expenses and for the compensation, if any, to be paid to the Members of the Commission.

**§45-24. Membership**

A. Number. The Commission shall consist of seven (7) voting Members and two ex-officio, non-voting Members.

B. Nominations and Appointments. Candidates to be considered for Membership will be selected or reviewed by the Nominating Committee and recommended to the full Commission for preliminary approval. The slate of nominees approved by the full Commission will then be submitted to the City Council and Mayor for approval and appointment.

At its initial meeting and at the last meeting in December each year thereafter, the Commission will select a Chairperson and such other officers as the Commission may deem necessary, by majority vote. For the initial



year the Chairperson and other officers will serve from the date of the initial meeting until December 31 of that year. Thereafter each Chairperson and other officers will serve for one year from January 1 to December 31. A Chairperson and other officers may be re-elected for up to three (3) years.

C. Composition. Membership on the Commission is open to any private individual or agency representative that is interested in the promotion of human rights in the City of Binghamton. In selecting the Membership of the Commission, the Nominating Committee will attempt to recruit Members from the community who represent the diversity of the community in regard to cultural diversity, ethnicity, age, race, color, creed, religion, national origin, ancestry, disability, marital status, sex, sexual orientation, gender identity or expression, veteran status, weight or height, or criminal conviction.

1. Membership is to include four (4) individuals representative of the community at large.

2. Membership is also to include three (3) individuals representative from advocacy and community organizations including, but not limited to, the following organizations:

- NAACP
- Binghamton Pride Coalition
- City Youth Bureau
- County Youth Bureau
- Office for Aging
- Prison Support Network
- Re-entry Task Force
- Southern Tier Independence Center

3. Candidates may be suggested by the Director or head of each above agency and submitted to the Nominating Committee.

4. The following individuals shall be Ex-officio, non-voting Members:

- One representative nominated by the City of Binghamton Mayor's Office
- One representative nominated by the Binghamton City Council

D. Term of Membership. After initial Membership, all Commission Members shall be appointed to a three (3) year term subject to the restrictions mentioned in this Chapter. Members may serve consecutive terms. No more than three (3) Members of the Commission shall expire in any single year. Ex-officio, non-voting Members will be appointed to one (1) year terms and may serve consecutive terms.

E. Vacancies. In case of the death, resignation, or removal of a Commission Member, a successor to fill the balance of the unexpired term may be recommended by the Nominating Committee, and approved by the Commission, City Council and the Mayor in the same manner as set forth in §45-24.B.

F. Membership Responsibilities. All Commission Members will be required to serve on a committee or designate a representative to serve on their behalf. In order to remain a Member in good standing of the Commission, Members should attend all meetings or inform the Chairperson of his or her representative, prior to the meeting, of an intended absence. Members who on occasion must miss regularly scheduled Commission meetings are encouraged to send a personal representative except that said person may not vote on behalf of the Member. All Commission Members must personally attend at least three meetings per year. Members will be

expected to maintain confidentiality of all cases that come before the Commission to the extent that protects the claimants against legal risk.

G. Removal. Members may be removed from the Commission by the Mayor and City Council for failing to carry out Membership responsibilities. To be removed a Commission Member must receive a no confidence vote of a supermajority of the Commission (majority plus 1) and such removal confirmed by a majority of City Council and the Mayor.

H. Rules and Procedures. The Commission may adopt such rules and procedures as it may deem necessary and proper to fulfill the purposes of this Chapter. The Commission will meet on first \_\_\_\_ of each month at \_\_\_\_ m. The City will provide a meeting room.

I. Constituting Initial Panel of Commissioners. The City Clerk will post notice of a request for candidates to serve on the Commission on the City's website, publish such notice in the Press & Sun-Bulletin, and send a copy of such notice to the organizations listed in §45-24.C.2 above. The notice will provide a deadline, not less than fourteen (14) days from the date of publication of the notice, for interested applicants to submit a letter of interest and a resume to the City Clerk. According to the guidelines set forth in §45-22 above, City Council will select seven (7) voting Members from the pool of candidates. The list of candidates for voting Members will then be sent to the Mayor for approval. The Mayor may accept or reject any or all of the candidates. If the Mayor rejects a candidate, City Council may override this decision with the vote of a super majority of City Council (majority plus 1).

At the initial meeting the terms of Commission Members will be determined by a random draw (two expiring in one year; three expiring in two years; and two expiring in three years).

The City Council and Mayor will each appoint one (1) ex-officio, non-voting Member to the Commission for a one-year term.

#### **§45-25. Standing Committees.**

The Human Rights Commission shall appoint Standing Committees comprised of not more than three (3) Members, including Ex-officio, non-voting Members, of the Commission to address regular and ongoing aspects of the Commission's work. Each committee shall elect its Chair. The Chair is responsible for setting the date and time of the committee meetings and, preparing agendas, reporting on the progress of the Committee at regular meetings of the Commission. Chair is also responsible for representing the committee to the media when necessary. The Standing Committees include:

##### **A. Nominating/Membership Committee**

This committee is responsible for recruiting and maintaining the seven (7) voting Members of the Commission. The Mayor and City Council are responsible for recruiting and maintaining their ex officio appointments. Ex officio Members cannot serve on the Nominating Committee.

##### **B. Intake Committee**

Responsible for conducting initial assessment of cases to determine whether case is within the purview of the Commission. Gathering supplementary information to assist in this determination. Refer cases to appropriate subcommittee or outside agency for further action.

### **C. Education/Advocacy**

Plans, conducts, and co-sponsors educational programs and events that raise awareness of human rights issues in Binghamton.

### **D. Conflict Resolution/Ombuds Committee**

Assists with finding solutions to discrimination cases that preserve justice while avoiding legal action whenever possible. Upon request can assist in the management of conflict and the resolution of problems. Although this committee does not determine cases, it can offer referrals.



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: February 3, 2016

Sponsored by Council Members: Matzo, Scaringi, Mihalko, Papastrat, Cronic, Berg

Introduced by Committee: Employees

**LOCAL LAW NO. 2016-1**

*entitled*

A LOCAL LAW REPEALING AND REPLACING  
THE CODE OF THE CITY OF BINGHAMTON  
CHAPTER 45A, HUMAN RIGHTS  
COMMISSION

WHEREAS, the Code of the City of Binghamton, Chapter 45A, *Human Rights Commission*, provides for the purpose, duties, and appointment of members of the Human Rights Commission; and

WHEREAS, the Mayor has requested amending Chapter 45A to make it more consistent with New York State General Municipal Law Article 12-D, *Commissions on Human Rights*, while preserving the protections afforded under the City of Binghamton Code Chapter 45, *Binghamton Human Rights Law*, and to make the appointment process more open and accessible to the public.

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

Section 1. That the Code of the City of Binghamton, 45A, *Human Rights Commission*, is hereby repealed and replaced in its entirety as annexed hereto.

Section 2. That this Local Law shall take effect upon filing with the Secretary of State.

Introductory No. LL16-01

Permanent No. LL16-01

Sponsored by City Council Members:  
Matzo, Scaringi, Mihalko, Papastrat, Cronce, Berg

A LOCAL LAW REPEALING AND REPLACING  
THE CODE OF THE CITY OF BINGHAMTON  
CHAPTER 45A, HUMAN RIGHTS COMMISSION

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

Date 2/17/16

City Clerk Debra

Date Presented to Mayor 2/18/16

Date Approved 2/18/16

Mayor Richard D. Davis

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilman Mihalko	✓			
Councilwoman Cronce	✓			
Councilman Taylor		✓		
Councilman Matzo	✓			
Councilman Berg	✓			
Councilman Papastrat	✓			
Total	7	0		

Code of the City of Binghamton

Adopted  Defeated

Ayes 7 Nays 0 Abstain 0 Absent 0

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 2/17/16. Approved by the Mayor on 2/18/16.

Chapter 45A, BINGHAMTON HUMAN RIGHTS COMMISSION [HISTORY: Adopted by the City Council of the City of Binghamton 12-7-11 by L.L. No. 11-3. Amended 2016.02.18 by L.L. No. 16-01]

§ 45A-20. Name. Pursuant to General Municipal Law § 239-o, the City of Binghamton hereby establishes the Binghamton Human Rights Commission (the "Commission").

§ 45A-21. Purpose. The purpose of the Commission is to condemn discrimination in all its forms, to educate the public, and to pursue by all appropriate means and without delay a policy of eliminating discrimination against people as set forth in Chapter 45, *Binghamton Human Rights Law*, veteran status, or criminal conviction to the extent provided by Correction Law § 752.

§ 45A-22. General duties and powers. It shall be the duty of the Commission:

1. (a) To foster mutual respect and understanding among all groups as set forth in Chapter 45, *Binghamton Human Rights Law*, veteran status, and those with prior criminal convictions.

(b) To make such studies in any field of human relationship in the community as in the judgment of the commission will aid in effectuating its general purposes and where desirable, to make the results of such studies public.

(c) To inquire into incidents of tension and conflict among or between various groups, and to take such action as may be designed to alleviate such tensions and conflict.

(d) To conduct and recommend such educational programs as, in the judgment of the Commission, will increase goodwill among inhabitants of the community and open new opportunities into all phases of community life for all inhabitants.

2. In addition to all other powers, the City of Binghamton hereby grants these additional powers:

(a) To report complaints to the New York State Division of Human Rights alleging unlawful discriminatory practices under Article Fifteen of the Executive Law or Chapter 45 of the Binghamton Human Rights law.

(b) To receive, accept and use and expend public grants and private gifts, donations or bequests and other payments, goods and services, as may be approved as part of the City's budget process.

§ 45A-23 General obligations. The Commission shall discharge the following obligations.

(a) To receive complaints of alleged discrimination, to seek the active assistance of the division of human rights in the solution of complaints which fall within the jurisdiction of the division and to prepare its own plans in the case of other complaints with a view to reducing and eliminating such alleged discrimination through the process of conference, conciliation and persuasion.

(b) To hold conferences, and other public meetings in the interest of the constructive resolution of group tensions and the prejudice and discrimination occasioned thereby.

(c) To issue such publications and reports of investigation as in its judgment will tend to effectuate the purposes of this Chapter.

(d) To enlist the cooperation and participation of the various racial, religious and nationality groups, community organizations, industry and labor organizations media or mass communication, fraternal and benevolent associations, and other groups in an educational campaign devoted to fostering among the diverse groups of the community mutual esteem, justice and equity and opening new opportunities into all phases of community life for all individuals.

(e) To encourage and stimulate agencies under the jurisdiction of the City of Binghamton to take such action as will fulfill the purposes of this article.

(f) To submit an annual report of the services performed by March 1 of the following year to City Council and the Mayor and to furnish a copy thereof to the New York State Division of Human Rights.

§ 45A-24. Officers and employees; expenses.

The Commission shall have the power and authority to employ an executive director, a secretary and such attorneys, experts and other employees as may be necessary, and to otherwise expend funds within the amount made available by the City of Binghamton as part of the City's budget process.

§ 45A-25. Membership, Rules and Procedures.

A. Number. The Commission shall consist of seven (7) voting members and two (2) ex-officio, non-voting members.

B. Appointments. The Mayor is hereby specified and designated as the public officer who shall appoint the voting members of the Human Rights Commission. All members shall reside or work in the City of Binghamton. Such appointment shall be subject to approval of City Council. In appointing the Members, the Mayor and City Council will attempt to recruit members from the community who represent the diversity of the community as set forth in Chapter 45, *Binghamton Human Rights Law*, veteran status, or those with prior criminal convictions. The Mayor and City Council will each appoint one (1) ex-officio, non-voting Member to the Commission.

D. Term of Membership. All appointments made prior to January 1, 2016, are null and void. Members shall be appointed for two (2) year terms, the initial term of all members will expire on December 31, 2017. Thereafter all terms will expire on December 31 of each odd numbered year. Ex-officio, non-voting members will be appointed to one (1) year terms. The Commission will vote for a Chairperson for each year. Members, ex-officio non-voting members, and the Chairperson may be re-appointed without term limits.

E. Vacancies. In the case of death, resignation, or removal of a Commission Member, a successor to fill the balance of the unexpired term shall be filled in the same manner as appointments.

F. Membership responsibilities. All Commission members must personally attend at least seventy-five percent (75%) of the scheduled meetings per year. Members will be expected to maintain

confidentiality of all cases that come before the Commission to the extent that protects the claimants against legal risk.

G. Removal. Members may be removed from the Commission by the Mayor and City Council for failing to carry out membership responsibilities. To be removed a Commission Member must receive a no confidence vote by a majority of City Council and the Mayor.

H. Rules and procedures. The Commission may adopt such rules and procedures, including the creation of committees, as it may deem necessary and proper to fulfill the purposes of this Chapter. The Commission will meet monthly at City Hall at a date and time determined by the Commission. The City will provide a meeting room and other related services.

I. All correspondence or inquiries to the Commission will be referred to the Chairperson.