



OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Giovanni Scaringi, Ph.D., City Council President

Janine Faulkner, City Clerk

BOARD OF ESTIMATE & APPORTIONMENT

AGENDA

Binghamton City Hall – City Council Chambers

Wednesday, October 18, 2023

Approval of Minutes: Request to approve the minutes from the Board of Estimate & Apportionment meeting held on October 4, 2023

NEW BUSINESS

Budget Amendment: RL23-196 Amend the Bond Ordinance related to the constructions of various improvements at Mirabito Stadium

Budget Amendment: RL23-204 Amend the General fund for fire department overtime

Budget Amendment: RL23-206 Amend the General fund for additional parks expenses

Budget Amendment: RL23-207 Amend the General fund for legal fees

Budget Amendment: RL23-209 Increase the Purchase Order for traveling screens by \$22,679.86

Budget Amendment: RL23-216 Increase the total of the Conlon Field Turf Project

Budget Amendment: RL23-218 Bond Ordinance for the Water Street Parking Garage

Budget Amendment: RL23-220 Amend the General Fund for legal expenses to be charged to the sewer fund

Budget Amendment: RL23-221 Amend the General Fund for fire department tier 6 benefits

Sale of Property: RL23-208 Sale of 32, 34 Munsell and 75, 77 Liberty to Greater Opportunities for Broome and Chenango

Sale of Property: RL23-214 Sale of a portion of Parlor City Commons to Confluence Properties II, LLC

Budget Transfer: \$2,500 from A3410.52600 (Equipment) to A3410.54610 (Building Equipment)



OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Giovanni Scaringi, Ph.D., City Council President
Janine Faulkner, City Clerk

**BOARD OF ESTIMATE & APPORTIONMENT
MINUTES
Binghamton City Hall – City Council Chambers
Wednesday, October 4, 2023**

Call to Order: At 11:09am by Mayor Jared Kraham

Board Members Present: Jared Kraham, Mayor; Joshua Paludi, Acting DPW Commissioner; Chuck Shager, Comptroller; Ron Lake, City Engineer
Absent: Brian Seachrist, Corporation Counsel

Also Present: Janine Faulkner, City Clerk

Approval of Minutes: Request to approve the minutes from the Board of Estimate & Apportionment meeting held on September 20, 2023

Motion: Lake

Second: Paludi

Voice Vote: 4-0-0-1

NEW BUSINESS

Budget Transfer: \$5,000 from A1650.54142 (Traffic Signs) to A1650.51900 (Overtime)

Motion: Lake

Second: Paludi

Voice Vote: 4-0-0-1

Budget Amendment: RL23-211 To amend the 2023 General Fund budget for Engineering Professional Services

Motion: Shager

Second: Lake

Voice Vote: 4-0-0-1

Motion to adjourn at 11:10am: Paludi

Second: Lake

Voice Vote: 4-0-0-1



Legislative Branch

RL Number:
23-204
Date Submitted:
9/27/23

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

ALAN GARDINER

FIRE CHIEF

607-772-7016

(Print Name)

(Title)

(Phone number)

Signature:

Date:

9/25/23

To Be Completed By Applicant

Proposed Title: Amend the 2023 General fund budget for fire department overtime

Executive Summary (Explain why legislation is necessary): Ordinance to Amend the 2023 General Fund budget to increase Fire Department overtime by Increasing A3410.51900 (Overtime) by \$250,000 and Increase A.42401 (Interest) by \$250,000

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 Planning MPA PW/Parks Employees Rules/Special Studies



CITY OF BINGHAMTON

Request for Transfer of Funds

Transfer requests of \$2500 or less must be approved by the Comptroller.
 Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
 Transfer requests in excess of \$10,000 must be approved by City Council.

*This worksheet must be attached to any RL submitted to the Clerk's Office that includes a budget funding transfer or amendment. For additional instructions, see 'RL Instructions' document.
 Incomplete/incorrect RLs to be returned to applicant for revisions. Additional transfer lines in the same format may be attached.*

Adopted Budget Year Amended: 2023

Department: FIRE

Department Head Signature: [Signature]

Amount	Transfer from (Decrease) Budget Line	Transfers	Transfer To (Increase) Budget Line	Budget Line Title
\$ -		↓ ↓ ↓		
\$ -				

Revenue & Fund Balance Amendments				
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line	Budget Line Title
\$ 250,000.00	Increase	Revenue	A-42401	INTEREST
\$ 250,000.00	Increase	Expense	A3410.51900	OVERTIME

Office Use Only for Transfers Under \$10,000

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller:

Signature: [Signature] Date: 9/21

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer:

Signature: _____ Date: _____

Transfer of funds Approved _____ / Denied _____ on _____ Certified by the Secretary of the Board of Estimate and Apportionment:

Signature: _____ Date: _____

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____ Date: _____



Legislative Branch

RL Number:
23-200
Date Submitted:
9/27/23

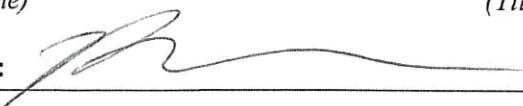
City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

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

Pat McGinnis Parks Director 607-772-7017
(Print Name) (Title) (Phone number)

Signature:  Date: _____

To Be Completed By Applicant

Proposed Title: Amend the 2023 General fund budget for additional parks expenses

Executive Summary (Explain why legislation is necessary): Ordinance to Amend the 2023 General Fund budget to increase A7110.54640 (Parks Improvements & Maint)) by \$48,000 and Increase A.42401 (Interest) by \$48,000

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:

23-207

Date Submitted:

9/27/23

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

Brain Seachrist

Legal

607-772-7013

(Print Name)

(Title)

(Phone number)

Signature:

Date:

9/25/23

To Be Completed By Applicant

Proposed Title: Amend the 2023 General fund budget for additional legal fees

Executive Summary (Explain why legislation is necessary): Ordinance to Amend the 2023 General Fund budget to increase

A1420.54105 (Litigation / Arbitration) by ~~\$200,000~~ ^{220,000} and Increase A.42401 (Interest) by ~~\$200,000~~ ^{220,000} + Process Servers in NYC

ADA

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 Planning MPA PW/Parks Employees Rules/Special Studies



CITY OF BINGHAMTON

Request for Transfer of Funds

Transfer requests of \$2500 or less must be approved by the Comptroller.
 Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
 Transfer requests in excess of \$10,000 must be approved by City Council.

*This worksheet must be attached to any RL submitted to the Clerk's Office that includes a budget funding transfer or amendment. For additional instructions, see 'RL Instructions' document.
 Incomplete/incorrect RLs to be returned to applicant for revisions. Additional transfer lines in the same format may be attached.*

Adopted Budget Year Amended: 2023 Department: LEGAL
 Department Head Signature: [Signature]

Amount	Transfer from (Decrease) Budget Line			Transfers	Transfer to (Increase) Budget Line	Budget Line Title
\$ -				↓		
				↓		
				↓		
\$ -						

Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Revenue	Expense	Budget Line	Budget Line Title
\$ 204,000	Increase				A-42401	INTEREST
\$ 320,000	Increase				A1420, 54105	LITIGATION / ARBITRATION

Office Use Only for Transfers Under \$10,000

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller: _____
 Signature: [Signature] Date: 4/26/23

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer: _____
 Signature: _____ Date: _____

Transfer of funds Approved ___ / Denied ___ on ___ / ___ / ___. Certified by the Secretary of the Board of Estimate and Apportionment: _____
 Signature: _____ Date: _____

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached: _____
 Signature: _____ Date: _____



Legislative Branch

RL Number:
23-216
 Date Submitted:
9/27/23

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

Pat McGinnis Parks Commissioner 607-772-7017
 (Print Name) (Title) (Phone number)

Signature: _____ Date: _____

To Be Completed By Applicant

Proposed Title: Amend the 2023 BOND ORDINANCE

Executive Summary (*Explain why legislation is necessary*): Ordinance is being done to show the total cost of the Conlon Field Turf Project increasing to a maximum of \$2,298,000. The city is funding this additional money through another source.

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"/>



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: January 15, 2023

Sponsored by Council Members: Resciniti, Riley, Burns, Strawn, Scanlon, Scaringi

Introduced by Committee: Finance

ORDINANCE

enitled

AN ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,369,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$16,369,000 TO FINANCE SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for various capital improvements in and for the City, as more specifically described herein;

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain (by the favorable vote of not less than two-thirds of all the members of said Council) as follows:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct, acquire or undertake the various projects as described in Column A of said Schedule I, attached hereto and made a part hereof, at the estimated maximum costs indicated in Column B of said Schedule I. The estimated total cost of such projects, including preliminary costs and costs incidental thereto and the financing thereof, is \$16,369,000 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. 23-12. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$16,369,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Debt service on the obligations herein authorized is expected to be paid from the respective funds of the City set forth in Column D of said Schedule I.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$16,369,000 are hereby authorized to be issued in the principal amounts indicated in Column C of said Schedule I for each of the respective objects or purposes indicated in Column A of said Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: January 25, 2023

Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes for which said bonds are authorized to be issued, within the limitations of §11.00 a. of the Law as referenced in Column G of said Schedule I, are set forth in Column F of said Schedule I.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this Ordinance for the purposes for which said bonds are authorized. 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.

Section 5. Each of the bonds authorized by this Ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City 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 City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of the Law and pursuant to the provisions of Section 21.00 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 Council 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 of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City 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 ordinance, 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

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: January 25, 2023

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

Section 8. This bond Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing Ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Introductory No. 023-12

Permanent No. 023-12

Sponsored by City Council Members:
Resciniti, Riley, Burns, Strawn, Scanlon, Scaringi

AN ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,369,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$16,369,000 TO FINANCE SAID APPROPRIATION

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

Date 1/25/23

City Clerk Christina B. Spang

Date Prescribed to Mayor 1/26/23

Date Approved 1/26/23

Mayor J M Tw

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley	✓			
Councilwoman Friedmann	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilman Scaringi				✓
Total	6	0	0	1

Code of the City of Binghamton

Adopted Defeated

6 Ayes 0 Nays 0 Abstain 1 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 1/25/23. Approved by the Mayor on 1/26/23.

SCW

Schedule I

2023 Capital Improvement Plan

A	B	C	D	E	F	G
Project Description (Object or Purpose)	Estimated Maximum Cost	Amount of Bonds Authorized	Fund	Grant Funding Expected to be Received	Period of Probable Usefulness	PPU Section 11.00a. Reference
A.1 Fire Vehicles (5)	\$ 310,000	\$ 310,000	General	\$ 0	3	77
A.2 Garage Lift	\$80,000	\$80,000	General	0	15	28
B. Street Reconstruction	1,200,000	1,200,000	General	0	15	20(c)
C. City Hall Improvements	1,000,000	1,000,000	General	0	15	12(a)(2)
D. Ely Park Improvements	350,000	350,000	Golf	0	15	19(c)
E. Bucket Truck acquisition	150,000	150,000	General	0	15	28
F. Sewer Jet Truck acquisition	275,000	275,000	Sewer	0	15	28
G. Conlon Field Turf project	2,250,000	2,250,000	General	0	15	19(c)
H. Mill and Pave roads	800,000	800,000	General	0	15	20(c)
I. Installation of ADA Ramps at intersections	1,200,000	1,200,000	General	0	10	24
J. Water Lines replacements	1,065,000	1,065,000	Water	0	40	1
K. Sewer Lines replacements	1,350,000	1,350,000	Sewer	0	40	4
L. Street Reconstruction	550,000	550,000	General	0	15	20(c)
M. Main Street Pedestrian Safety Program Improvements	2,100,000	2,100,000	General	1,500,000	15	20(c)
N. Interceptor Sewer Upgrades - Crary Avenue to Murray Street	100,000	100,000	Sewer	0	40	4
O. Various improvements to Deco District	2,500,000	2,500,000	General	TBD	10	90
P. Floodwall Levee improvements	700,000	700,000	General	0	5	35
Q. Engineering Design Projects	<u>389,000</u>	<u>389,000</u>	General	<u>0</u>	5	62
Totals:	<u>\$16,369,000</u>	<u>\$16,369,000</u>		<u>\$1,500,000</u>		



Legislative Branch

RL Number:
23-218
 Date Submitted:
9/21/23

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

MEGAN HEIMAN EXECUTIVE ASSISTANT TO MAYOR 607-772-7001
 (Print Name) (Title) (Phone number)

Signature: _____ Date: _____

To Be Completed By Applicant

Proposed Title: Bond ordinance for the Water Street Parking Garage, see attached from Bond Counsel

Executive Summary (Explain why legislation is necessary): Bond Ordinance for the Water Street Parking Garage
 SEE ATTACHED FROM BOND COUNSEL

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"/>



PHONE: 212-820-9300
FAX: 212-514-8425

7 WORLD TRADE CENTER
250 GREENWICH STREET
NEW YORK, NY 10007
WWW.HAWKINS.COM

NEW YORK
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HARTFORD
LOS ANGELES
SACRAMENTO
SAN FRANCISCO
PORTLAND
ANN ARBOR
RALEIGH

(212) 820-9620

September 29, 2023

City of Binghamton, New York
Bond Ordinance – Parking Garage
(Our File Designation: 5040/44891)

Mr. Clarence Shager
City Comptroller/CFO
City of Binghamton
City Hall
38 Hawley Street
Binghamton, New York 13901-3766

Dear Chuck:

Pursuant to your request, I have prepared the attached draft Extract of Minutes of a Council meeting to be held on October 18, 2023, showing adoption of the above amending bond ordinance and providing for publication, in summary.

Please note that the bond ordinance is to be adopted by at least a two-thirds vote of the entire Council membership (not taking into account any temporary vacancies).

The Clerk's statutory estoppel notice, including the summary form of the bond ordinance, in readiness for publication in the official City newspaper, is also enclosed. You will recall that publication of the bond ordinance, in summary, commences a 20-day statute of limitations period pursuant to the provisions of Section 80.00 *et seq.* of the Local Finance Law.

Please obtain and forward to me a certified copy of the Extract of Minutes and an original Affidavit of Publication, when available.

With best regards, I am

Very truly yours,

William J. Jackson

WJJ/ess
Enclosures

Legal Counsel Approval _____

Introductory No. _____



Permanent No. _____

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

Date: October 18, 2023

Sponsored by Council Members:

Introduced by Committee: Finance

ORDINANCE

Entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED OCTOBER 18, 2023, AUTHORIZING THE CONSTRUCTION OF A NEW PARKING GARAGE ON WATER STREET IN THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$26,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING \$7,000,000 OF AMERICAN RESCUE PLAN ACT FUNDS ALLOCATED TO THE CITY AND GRANT FUNDS MADE AVAILABLE BY THE STATE OF NEW YORK, EACH AVAILABLE FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,500,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

Recital

WHEREAS, the Council of the City of Binghamton recognizes the need for the construction of a new parking garage on Water Street in the City and finds it in the best interest of the City to fund the cost of constructing such new garage from various sources, including ARPA funds, grants and City bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BINGHAMTON, NEW YORK, DULY CONVENEED (by the favorable vote of not less than two-thirds of all the members of said Council) AS FOLLOWS:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct a new parking garage on Water Street in the City (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$26,500,000 and said amount is hereby appropriated therefor, including \$7,000,000 of American Rescue Plan Act (the "ARPA") funds allocated to the City and grant funds made available by the State of New York, each available for such purpose, such appropriation having been authorized by the Council pursuant to Ordinance No. _____. The plan of financing includes the expenditure of the ARPA and grant funds in the amount of \$7,000,000 available for the Project, the issuance of bonds of the City in the principal amount of not to exceed \$19,500,000 to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Debt service on the obligations herein authorized is expected to be paid from the Parking Fund of the City. Any additional grant funds received from the United States of America, the State of New York or from any other source are authorized to be applied towards the cost of the Project or redemption of the

City's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the City in the principal amount of not to exceed \$19,500,000 are hereby authorized to be issued 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 a part of the appropriation referred to herein.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 11(a)(1) of the Law, is thirty (30) years.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purposes for which said bonds are authorized. 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.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City 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 City by appropriation for (a) the

amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 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 Council 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 of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City 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 ordinance, 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 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together

with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

* * *

CERTIFICATE

I, the undersigned, City Clerk of the City of Binghamton, in the County of Broome, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Council of said City of Binghamton duly called and held on October 18, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Council 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. Such ordinance was approved in writing by the Mayor of the City on _____, 2023 and by the Board of Estimate and Apportionment of the City on _____, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Binghamton this ____ day of October, 2023.

(SEAL)

City Clerk

NOTICE

The ordinance, a summary of which is published herewith, has been adopted by the Council of the City of Binghamton on October 18, 2023. Such ordinance was approved in writing by the Mayor of the City on _____, 2023 and by the Board of Estimate and Apportionment of the City on _____, 2023.

The validity of the obligations authorized by such ordinance may be hereafter contested only if the obligations authorized hereby were authorized for an object or purpose for which the City of Binghamton, in the County of Broome, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

DATE: October 18, 2023

Janine Faulkner
City Clerk, City of Binghamton

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED OCTOBER 18, 2023, AUTHORIZING THE CONSTRUCTION OF A NEW PARKING GARAGE ON WATER STREET IN THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$26,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING \$7,000,000 OF AMERICAN RESCUE PLAN ACT FUNDS ALLOCATED TO THE CITY AND GRANT FUNDS MADE AVAILABLE BY THE STATE OF NEW YORK, EACH AVAILABLE FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,500,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

The bonds are authorized to be issued to finance the construction of a new parking garage on Water Street in the City of Binghamton (the "Project"), at the estimated maximum cost of \$26,500,000.

The total amount of obligations authorized to be issued is not to exceed \$19,500,000 to finance a portion of the costs of the Project. The balance of the cost of the Project is to be paid from ARPA and grant funds available for such purpose.

The period of probable usefulness for the object or purpose authorized by this bond ordinance is 30 years.

A complete copy of the Amending Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, City of Binghamton, City Hall, 38 Hawley Street, Binghamton, New York.

Dated: October 18, 2023
Binghamton, New York



Legislative Branch

RL Number:

23-220

Date Submitted:

9/27/23

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

MEGAN HEIMAN

EXECUTIVE ASSISTANT TO MAYOR

607-772-7001

(Print Name)

(Title)

(Phone number)

Signature: _____

Date: _____

To Be Completed By Applicant

Proposed Title: Amend the 2023 Insurance and General fund budgets for expenses to be charged to Sewer fund.

Executive Summary (Explain why legislation is necessary): Amend the 2023 General Fund and Insurance budget for Legal expenses spent on Joint Sewer project in other funds to be charged to users through the Sewer fund.

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 Planning MPA PW/Parks Employees Rules/Special Studies



CITY OF BINGHAMTON

Request for Transfer of Funds

Transfer requests of \$2500 or less must be approved by the Comptroller.
 Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
 Transfer requests in excess of \$10,000 must be approved by City Council.

This worksheet must be attached to any RL submitted to the Clerk's Office that includes a budget funding transfer or amendment. For additional instructions, see 'RL Instructions' document. Incomplete/incorrect RLs to be returned to applicant for revisions. Additional transfer lines in the same format may be attached.

Adopted Budget Year Amended: **2023**

Department: _____ MAYOR _____
 Department Head Signature: _____

Amount	Transfer from (Decrease) Budget Line		Transfers	Transfer to (Increase) Budget Line	Amount	Budget Line Title
\$			↓			
			↓			
			↓			
\$					\$	

Revenue & Fund Balance Amendments			
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line
\$	Increase	Expense	M9901,59000
\$	Decrease	Expense	M1910,54430
\$	Increase	Expense	A9901,59000
\$	Decrease	Expense	A1420,54430
\$	Increase	Expense	G8110,54410
\$	Increase	Revenue	G45031

Office Use Only for Transfers Under \$10,000

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer.

Transfer of funds Approved / Denied on _____ / _____ / _____ Certified by the Secretary of the Board of Estimate and Apportionment.

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____



Legislative Branch

RL Number:
23-221

Date Submitted:
9/27/23

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

MEGAN HEIMAN EXECUTIVE ASSISTANT TO MAYOR 607-772-7001
 (Print Name) (Title) (Phone number)

Signature: _____ Date: _____

To Be Completed By Applicant

Proposed Title: Amend the 2023 General fund budget for fire department tier 6 agreement for Tier 6 Firefighters benefits

Executive Summary (Explain why legislation is necessary): Ordinance to Amend the 2023 General Fund budget to increase Other Employment Benefits by Increasing A9089.58002 (FIRE-T6 Agreement) by \$78,000 and Increase A.42401 (Interest) by \$78,000

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 Planning MPA PW/Parks Employees Rules/Special Studies



CITY OF BINGHAMTON

Request for Transfer of Funds

Transfer requests of \$2500 or less must be approved by the Comptroller.
 Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
 Transfer requests in excess of \$10,000 must be approved by City Council.

*This worksheet must be attached to any RL submitted to the Clerk's Office that includes a budget finding transfer or amendment. For additional instructions, see 'RL Instructions' document.
 Incomplete/incorrect RLS to be returned to applicant for revisions. Additional transfer lines in the same format may be attached.*

Adopted Budget Year Amended: 2023 Department: MAYOR
 Department Head Signature: _____

Amount	Transfer from (Decrease) Budget Line		Transfers	Transfer to (Increase) Budget Line	Amount	Budget Line Title
\$ -			↓ ↓ ↓		\$ -	

Revenue & Fund Balance Amendments			
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line
\$ 78,000.00	Increase	Revenue	A-42401
\$ 78,000.00	Increase	Expense	A9089.58002
			INTEREST FIRE - T6 AGREEMENT

Office Use Only for Transfers Under \$10,000

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter, Appropriations, Certified by the Treasurer.

Transfer of funds Approved ___ / Denied ___ on ___ / ___ / ___ Certified by the Secretary of the Board of Estimate and Apportionment.

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____ Date: _____
 Signature: _____ Date: _____
 Signature: _____ Date: _____



Legislative Branch

RL Number:
13-208
 Date Submitted:
9/27/23

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

Megan Heiman Deputy Mayor 607-772-7001
 (Print Name) (Title) (Phone number)
 Signature: Megan J. Heiman Date: 09/26/2023

To Be Completed By Applicant

Proposed Title: A Resolution Authorizing the Sale of 32 and 34 Munsell St., and 75 and 77 Liberty St. to Greater Opportunities for Broome and Chenango Inc. for \$1 each.

Executive Summary (Explain why legislation is necessary): see attached.

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"/>



OFFICE OF THE MAYOR • CITY OF BINGHAMTON

OFFER TO PURCHASE

Please complete the below application, and submit this document to the Mayor's Office for consideration. Please note that if such sale is approved, the Applicant will be liable for all filing fees associated with the transfer of this property.

PROPERTY INFORMATION

Street Address of Property: 32 Munsell Street, 34 Munsell Street, 75 Liberty Str 77 Liberty Str
Tax Parcel Identification Number: 144.83-2-11 144.83-2-12 144.83-2-15 144.83-2-17
Current Use of Property: [] Residential [] Commercial [] Mixed Use [X] Vacant Lot
Offered Purchase Price: \$1.00 per property = \$4.00
Do you wish to opt-out of the free tree planting service? [X] Yes [] No

Please describe the intended use of the property. The inclusion of a map or illustration depicting the intended use of the property will expedite the review process.

Creation of 12 supportive housing units (6 on 31+33 Munsell and 6 units on the proposed properties). The units will serve seniors (age 55 and over) and individuals and families up to 80% A 75 Liberty is required to meet setbacks required by Planning

APPLICANT INFORMATION

Applicant Name: Greater Opportunities for Broome and Chenango, Inc
Mailing Address: 5 West State Street Binghamton, NY 13901
Telephone Number(s): (607) 723-6493
Email Address: krobertson@greaterops.org

Please list any other properties owned by the Applicant located within Broome County.

41 Carroll 92-94 Carroll 22 Moffatt Ave 26 Lyons 29-33 Munsell
86 Barroll 27 Pine St. 22 Way 28 Lyons 542 State
88-90 Carroll 4 Sturgis Ave 39-49 Munsell St 85 Liberty 105 109 111 Susqu
120 Walnut 5 West State 50 East Cladham St 46, 48 Griswold St.

I hereby certify that the above information is a true account of my intended purchase and use of City-owned property. I understand that upon approval of any such sale, any deviance from the agreed-upon terms and conditions may result in the termination of such agreement through legal proceedings.

Kelly M. Robertson, Deputy Director
City Hall • 38 Hawley St., 4th Floor • Binghamton, NY 13901 • www.cityofbinghamton.com

Date: 02/17/23



Legislative Branch

RL Number:
23-24
Date Submitted:
9/27/23

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

Brian Seachrist Corporation Counsel 607-772-7013
 (Print Name) (Title) (Phone number)

Signature: _____ Date: 09/27/2023

To Be Completed By Applicant

Proposed Title: A Resolution Authorizing the Sale of a Portion of Parlor City Commons to Confluence Properties II for \$500

Executive Summary (Explain why legislation is necessary): see attached

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 type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



OFFICE OF THE MAYOR ■ CITY OF BINGHAMTON

OFFER TO PURCHASE

Please complete the below application, and submit this document to the Mayor's Office for consideration. Please note that if such sale is approved, the Applicant will be liable for all filing fees associated with the transfer of this property.

PROPERTY INFORMATION

Street Address of Property: Portion of Park City Commons downtown/Washington Street

Tax Parcel Identification Number: 160.49-1-1 / 160.49-1-11

Current Use of Property: Residential Commercial Mixed Use Vacant Lot

Offered Purchase Price: \$500.00

Do you wish to **opt-out** of the free tree planting service? Yes No

Please describe the intended use of the property. The inclusion of a map or illustration depicting the intended use of the property will expedite the review process.

Vacant land is located adjacent to building that's being constructed. Will allow for additional storage for new restaurant/amen. Will also allow existing private property to be better utilized to conceal garbage cans. Provided photos: Red shows what is owned by City. Blue is owned by Confluence Properties II, LLC.

APPLICANT INFORMATION

Applicant Name: Confluence Properties II, LLC, Richard L. David
Note: Please provide the full legal name of the applicant. If the applicant is a company or corporation, please list all shareholders or members.

Mailing Address: 45 East Street, Binghamton, NY 13901

Telephone Number(s): 607-226-7193

Email Address: richdavid2022@gmail.com + bingstadium138@gmail.com

Please list any other properties owned by the Applicant located within Broome County.

45 East Street, Binghamton, NY 13901
138, 140, 142 Washington Street, Binghamton, NY 13901

I hereby certify that the above information is a true account of my intended purchase and use of City-owned property. I understand that upon approval of any such sale, any deviance from the agreed-upon terms and conditions may result in the termination of such agreement through legal proceedings.

Richard L. David
Signature

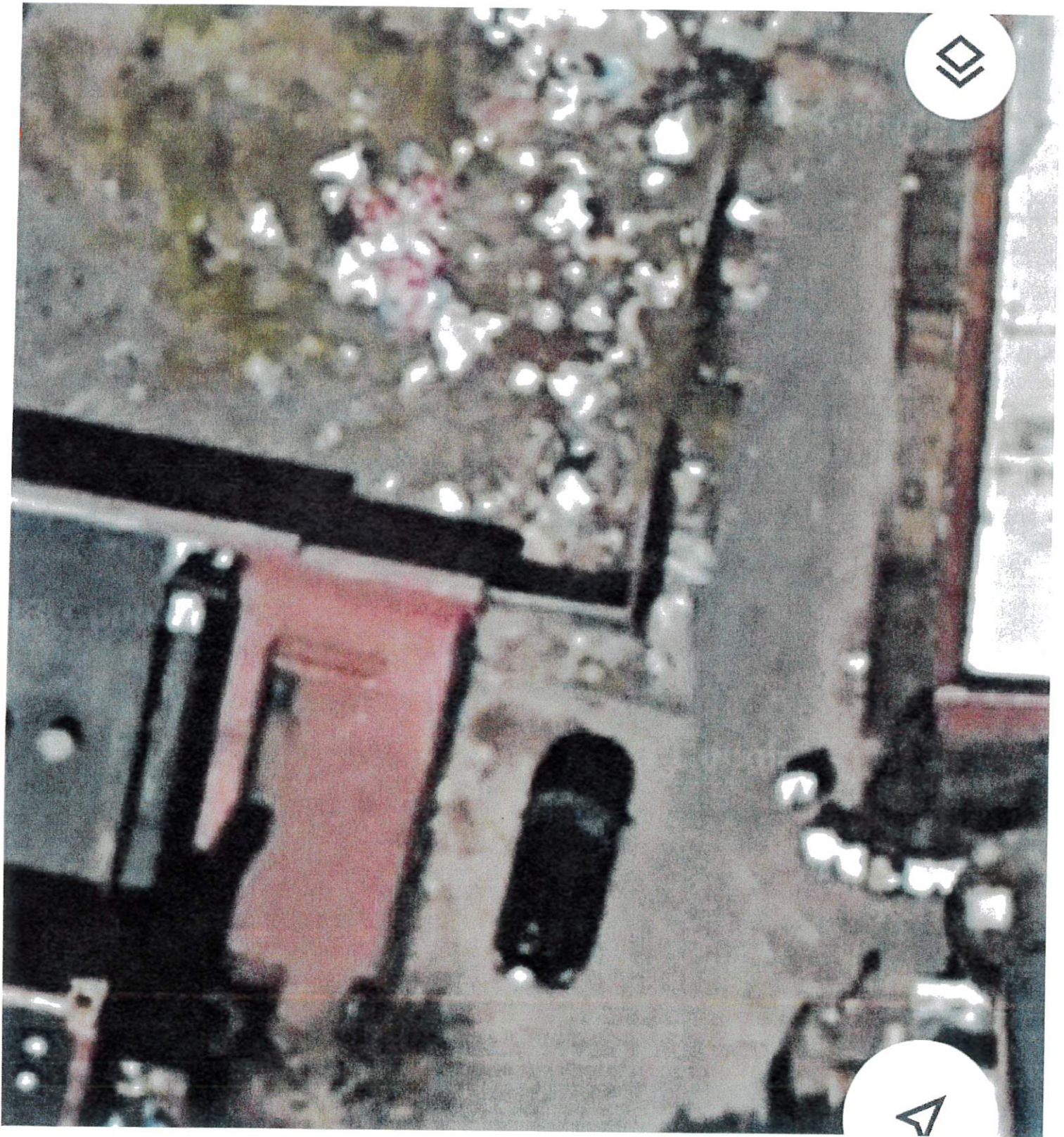
9/7/23
Date



Red owned
by DTJ

Blue owned by
Confere Type 10 II





Aerial without parcel identified



Aerial with parcel identified

