

*BM*



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

Date: October 18, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING THE SALE OF  
A PORTION OF PARLOR CITY COMMONS TO  
CONFLUENCE PROPERTIES II, LLC**

WHEREAS, the City of Binghamton is the owner of certain real properties located at Parlor City Commons, Binghamton, New York, Tax Parcel No. 160.49-1-1 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase a *deminimis* portion of the Premises from Confluence Properties II, LLC (the "Applicant") for \$500 to provide additional storage for new building construction adjacent to the property (See attached map); and

WHEREAS, the City has no public use for this portion of the Premises; and

WHEREAS, the Assessor of the City of Binghamton has determined that the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on October 18, 2023.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain by at least a three-fourths vote as follows:

Section 1. That the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into a contract of sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer a portion of the Premises to Confluence Properties II, LLC for \$500 to be paid by cash, certified check, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the Premises must be merged with the Applicant's adjacent property located at 138 Washington Street, Binghamton, New York into a single parcel within two years of the date of this legislation.

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 023-134

Permanent No. 023-133

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

**AN ORDINANCE AUTHORIZING THE SALE OF A  
PORTION OF PARLOR CITY COMMONS TO  
CONFLUENCE PROPERTIES II, LLC**

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

Date 10/18/23

Jeanne Faulkner  
City Clerk

Date Presented to Mayor 10/19/23

Date Approved 10/19/23  
J M W

Mayor

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley				✓
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilman Scaringi	✓			
<b>Total</b>	<u>6</u>	<u>0</u>	<u>0</u>	<u>1</u>

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 10/18/23. Approved by the Mayor on 10/19/23. JK



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

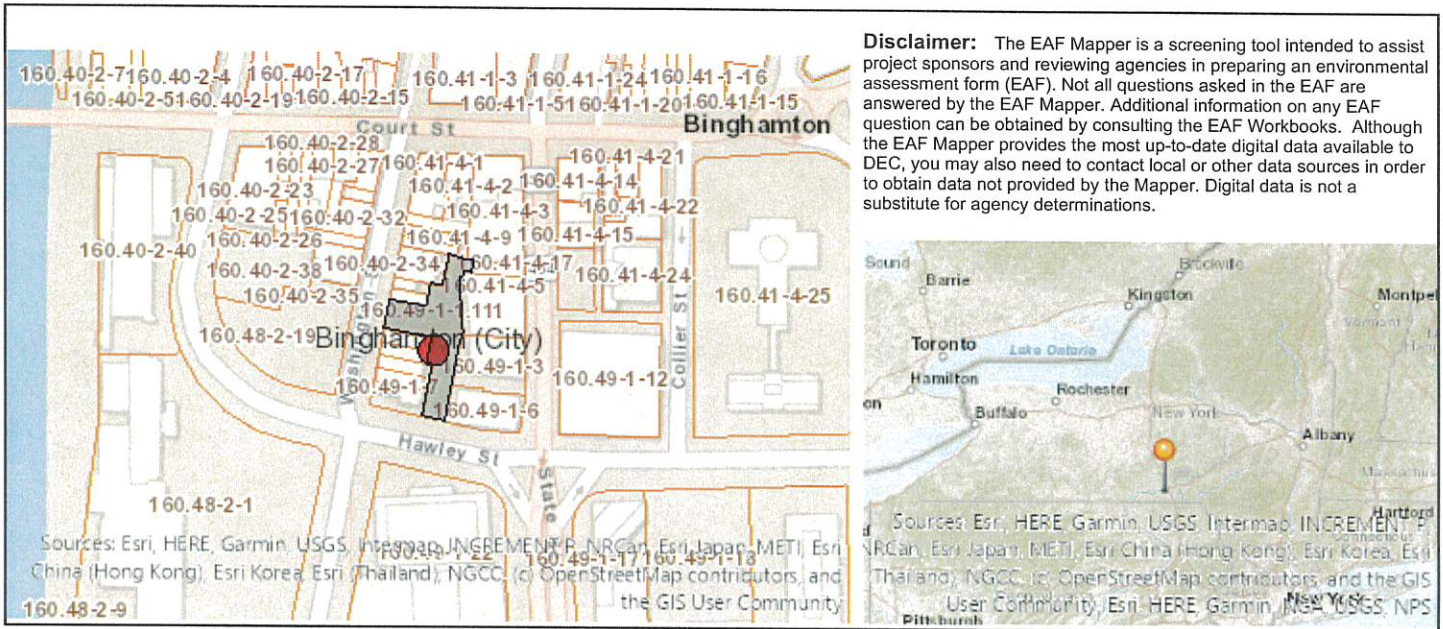
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
City of Binghamton			
Name of Action or Project: Sale of a Portion of Parlor City Commons to Confluence Properties II			
Project Location (describe, and attach a location map): 124 Washington St. Binghamton, NY. 13901			
Brief Description of Proposed Action: Vacant land is located adjacent to building that is being constructed. It will allow for additional storage for new restaurant/tavern. It will also allow existing private property to be better utilized to conceal garbage cans. Provided photos: red indicates land owned by the city, blue shows land owned by Confluence Properties II.			
Name of Applicant or Sponsor: City of Binghamton		Telephone: (607) 772-7005	
		E-Mail: clerk@cityofbinghamon.gov	
Address: 38 Hawley St			
City/PO: Binghamton		State: New York	Zip Code: 13901
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Binghamton - City Council			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Peregrine Falcon, Brook Flo...	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:_____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:_____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:_____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>City of Binghamton</u> Date: <u>10/17/2023</u>		
Signature: _____ Title: _____		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Peregrine Falcon, Brook Floater
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes

**State Environmental Quality Review Act**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Non-Significance**

**Project Number:** None

**Date:** October 18, 2023

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton City Council as lead agency has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Sale of a portion of Parlor City Commons to Confluence Properties II

**SEQRA Status:**     Type 1             
                          Unlisted       

**Conditioned Negative Declaration:**     Yes     
  No   

**Description of Action:**

Sale of a portion of Parlor City Commons to Confluence Properties II for use as extra storage space for newly constructed restaurant and allow existing private property to be better utilized to conceal garbage cans.

**Location:** 124 Washington St, Binghamton, Broome County, New York

**Reasons Supporting This Determination:**

The proposed action is the sale of a portion of Parlor City Commons to Confluence Properties II.

The lead agency has reviewed an Environmental Assessment Form and the criteria contained in 6 NYCRR 617.7 (c) to identify the relevant areas of environmental concern, thoroughly analyzed the identified relevant areas of environmental concern, and determined that the action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

**For Further Information**

Contact Person:     Giovanni Scaringi, Ph.D., President  
                              City of Binghamton City Council

Address:                City Hall  
                              38 Hawley Street  
                              Binghamton, NY 13901

Telephone Number:   607-772-7005 (City Clerk’s Office)