



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: October 18, 2023

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

Introduced by Committee: Planning

ORDINANCE*entitled*

AN ORDINANCE AMENDING THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 18,
BOARDS, COMMISSIONS AND COMMITTEES

WHEREAS, the Director of Planning, Zoning & Historic Preservation Department of the City of Binghamton has recommended to amend the City Code Chapter 18, *Boards, Commissions, and Committees*, §18-34, *Appointment of Member*; and §18-39, *Commission established; Composition; Appointment and Qualification of Members* to include the provision for an alternate member in the event of a conflict of interest.

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, Chapter 18, *Boards, Commissions, and Committees, Policies*, §18-34, *Appointment of Member*, is hereby amended as follows:

§ 18-34. Appointment of members. [Amended 6-2-1975 by Ord. No. 85-75; Amended 02-07-2018 by Ord. No 18-15; Amended 10/18 2023 by Ord No. 23-134]

The Mayor is hereby specified and designated as the public officer who shall appoint the Planning Commissioner members **and one alternate Planning Commission member in the event a member is unable to participate because of a conflict of interest. The alternate member shall possess all the powers and responsibilities of such member of the Committee. Such designation shall be entered into the minutes of the initial Planning Commission meeting at which the substitution is made. The alternate Commission member will serve a term of five years.** Such appointment shall be subject to the approval of the City Council. City Council will act to approve or disapprove an appointment within forty-five (45) days of the City Clerk's receipt of a written proposed appointment from the Mayor. A failure to act within such forty-five (45) days will be considered an approval. Planning Commission members must be a resident of the City of Binghamton at all times during his or her appointment.

Section 2. That the Code of the City of Binghamton, Chapter 18, *Boards, Commissions, and Committees, Policies*, §18-39, *Commission established; Composition; Appointment and Qualification of Members*, is hereby amended as follows:

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§ 18-39. Commission established; composition; appointment and qualification of members. [Amended 7-16-1973 by Ord. No. 149-73; Amended 12-21-11 by Ord. No. 11-52; Amended 10-17-2012 by Ord. No. 12-68; Amended 3-5-2014 by LL 14-1; Amended 4-7-2021 by Ord. No. 21-30; Amended 1-11-2023 by Ord. No. 23-02; Amended 10/18 2023 by Ord No. 23-134]

To prevent the deterioration of property belonging to the City or property in which any City funds are involved and to advise builders to designers in regard to the use of space and the design of structures and to encourage protection of economic values and proper and appropriate use of surround areas, there is hereby established in and for the City a commission to be known as the "Commission on Architecture and Urban Design of the City of Binghamton" ("CAUD"). This Commission shall consist of seven (7) persons who shall be residents of the City or owners of real property situated therein, and who shall be appointed by the Mayor. Persons eligible for membership shall be persons who, by training, experience, interest or expertise, have demonstrated significant interest in and commitment to the field of preservation planning as evidenced either by involvement in a local or regional historic preservation group, employment or volunteer activity in the field of preservation planning, or other serious interest in the field. The membership should include, if such persons are available and agreeable to serving, a historian, state-licensed real estate professional, and a professional engineer or architect. **The Mayor shall have the power to appoint one alternate Committee on Architecture and Urban Design member in the event a member is unable to participate because of a conflict of interest. The alternate member shall possess all the powers and responsibilities of such member of the Committee. Such designation shall be entered into the minutes of the initial Committee of Architecture and Urban Design meeting at which the substitution is made. The alternate Committee member will serve a term of five years.** Each member of CAUD shall be paid an annual stipend of five hundred seventy-five (\$575.00) dollars. Payments shall be made in four installments, on or about April 1, July 1, October 1, and January 1 (for the previous year). Any member joining CAUD other than prior to the first meeting of the year will be paid a proportionate amount of the stipend. Any member who is removed pursuant to the Code of the City of Binghamton Article I, Vacancies due to nonattendance, § 16-1, Application; § 16-2, Determination of vacancy; or § 410-91.D, Removal of members, shall not be paid for any missed meetings leading to dismissal.

Section 3. That this ordinance shall take effect immediately.

Introductory No. 023-135

Permanent No. 023-134

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

**AN ORDINANCE AMENDING THE CODE OF THE
CITY OF BINGHAMTON, CHAPTER 18, BOARDS,
COMMISSIONS AND COMMITTEES**

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

Date 10/18/23

Janine Faulkner
City Clerk

Date Presented to Mayor 10/19/23

Date Approved 10/19/23 J M Jh
Mayor

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley				✓
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilwoman Scaringi	✓			
Total	<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)