



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Giovanni Scaringi, Ph.D., City Council President

Janine Faulkner, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON

Business Meeting Minutes

City Hall, 38 Hawley Street, Binghamton, NY 13901

Wednesday, November 15, 2023

I. CALL TO ORDER

President Scaringi called the meeting to order at 6:02pm

II. PLEDGE OF ALLEGIANCE

Led by President Scaringi

III. ROLL CALL

Present: Friedman, Burns, Strawn, Scaringi

Absent: Resciniti, Riley, Scanlon

Also Present: Janine Faulkner (City Clerk), Brian Seachrist (Corporation Counsel)

IV. ACKNOWLEDGEMENTS AND RECOGNITIONS

V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes

Approve the Minutes from the November 1, 2023 Business Meeting.

Motion: Friedman

Second: Strawn

Vote: 4-0-0-3

Absent: Resciniti, Riley, Scanlon

City Council Finance Committee: Scanlon (Chair), Strawn, Friedman

No items to report.

City Council Planning & Community Dev. Committee: Resciniti (Chair), Scanlon, Friedman

No items to report.

City Council Municipal & Public Affairs Committee: Strawn (Chair), Resciniti, Riley

No items to report.

City Council Public Works/Parks & Recreation Committee: Resciniti (Chair), Scanlon, Riley

No items to report.

City Council Employees Committee: Strawn (Chair), Resciniti, Burns

No items to report.

City Council Rules & Procedures/Special Studies Committee: Scanlon (Chair), Strawn, Friedman

No items to report.

VI. APPROVAL OF APPOINTMENTS



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VII. PUBLIC HEARING

VIII. SET PUBLIC HEARINGS

IX. PUBLIC COMMENT/COMMUNICATION

Residents wishing to submit public comment may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.gov or in-person during the meeting.

Motion to suspend Rules to allow public comments from individuals who do not reside or work inside the City of Binghamton: Friedman

Second: Strawn

All in Favor

1. Richard David

Volunteers for New York Citizens Audit - Resolution for an Audit – document attached

2. Holly Gruskay

3. Linda Burghardt

4. Sandra Carrier

5. Sally Dorak

6. Jonathan Carrier

Binghamton University Students

7. Braden Florczyk

8. Jenna Picciano

9. Letter received – Bogdan Marginean – attached

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION

XII. FIRST READING LEGISLATION

A. PREFERRED AGENDA

Introductory Ordinance 23-144. Considered in Planning: Resciniti

An Ordinance to amend the 2023 Community Development Block Grant (CDBG) budget for Homeownership/Rehab to adjust for HUD program income reconciliation

Introductory Ordinance 23-145. Considered in Planning: Resciniti

An Ordinance to amend the 2023 Home Grant budget for Rehab to adjust for HUD program income reconciliation



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Introductory Ordinance 23-146. Considered in Finance: Scanlon

An Ordinance to amend the 2023 General Fund budget for the Fire Department to purchase fire gear for the new probationary firefighters

Introductory Ordinance 23-147. Considered in Finance: Scanlon

An Ordinance to amend the 2023 General budget for Parks and Recreation Department for increased Chlorine costs

Introductory Ordinance 23-148. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Sewer budget for additional Legal expenses

Introductory Resolution 23-88. Considered in Finance: Scanlon

A Resolution authorizing the Mayor to accept the Dick's Sporting Goods Foundation Sports Matters Program Grant for Youth Sports equipment and program enhancement

Introductory Resolution 23-90. Considered in Finance: Scanlon

A Resolution to authorizing an Urban Development Action Grant (UDAG) special projects loan from the Binghamton Local Development Corporation (BLDC) to L2 Properties, LLC.

Introductory Resolution 23-91. Considered in Finance: Scanlon

A Resolution authorizing the Mayor to accept a grant from Broome County for the design and printing of light pole banners

Introductory Resolution 23-92. Considered in Finance: Scanlon

A Resolution authorizing the Mayor to enter into amended agreement No. 2 with GHD Consulting Services, Inc for the CSO-LTCP Post Construction Compliance Monitoring Program

Motion to approve Preferred Agenda: Friedman

Second: Strawn

Vote: 4-0-0-3

Absent: Resciniti, Riley, Scanlon

B. NON PREFERRED AGENDA

Introductory Resolution 23-87. Considered in Finance: Scanlon

A Resolution to accept the Office of Justice Programs Patrick Leahy Bulletproof Vest Grant

Motion: Strawn

Second: Burns

Vote: 4-0-0-3

Absent: Resciniti, Riley, Scanlon



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Introductory Resolution 23-89. Considered in Finance: Scanlon

A Resolution authorizing the Mayor to enter into an agreement with Peter M. Popovic for project management services of Mirabito Stadium projects

Motion: Friedman

Second: Strawn

Vote: 4-0-0-3

Absent: Resciniti, Riley, Scanlon

Introductory Ordinance 23-149. Considered in Rules & Procedures: Scanlon

An Ordinance to amend the Charter of the City of Binghamton Chapter 327, Use of Rights-of-Way

*Removed from Preferred Agenda by Friedman

Motion: Strawn

Second: Friedman

Discussion: Burns

Motion to Holdover Introductory Ordinance 23-149: Burns

Second: Friedman

Introductory Ordinance 23-149 held over

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

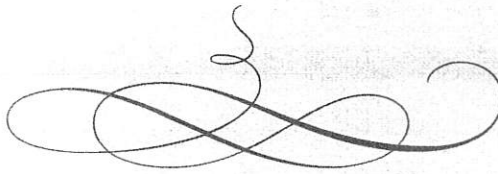
1. Resciniti
2. Riley
3. Friedman
4. Burns
5. Strawn
6. Scanlon
7. Scaringi

XIV. ADJOURNMENT

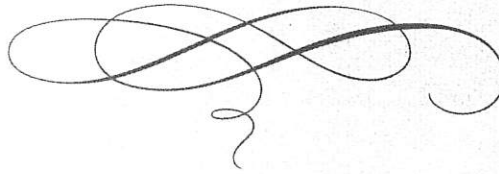
Motion to adjourn at 6:53pm: Friedman

Second: Strawn

All in Favor



Resolution for an Audit of the New York State 2022 General Election

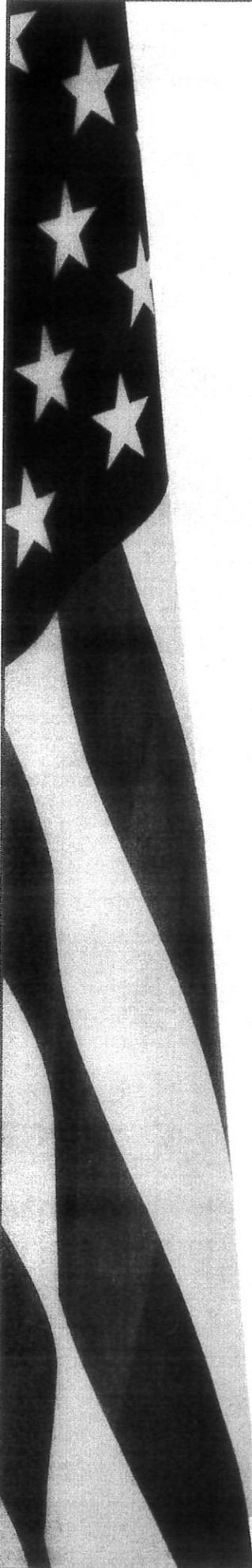


Whereas It is a recognized civil right in the United States for every citizen to have free and fair elections. “And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” (Reynolds v. Sims, 377 U.S. 533 (1964))

Whereas It is the affirmative duty of our election officials to comply with all Federal and State laws governing administration and procedure of our elections, thereby guaranteeing our elections are accurate and free from distortion or manipulation. “Congress seeks...to guard the election of members of Congress against any possible unfairness by compelling...everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged... The evil intent consists in disobedience to the law.” (In Re Coy, 127 U.S. 731 (1888)).

Whereas Our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption, and assuring accuracy can only be achieved through fealty to those laws governing the following four tenets of an election:

1. The Voter Rolls Must Be Accurate (National Voter Registration Act, 1993).
2. Votes Counted Must Be From Eligible Voters (US Constitution).
3. The Number of Votes Counted Must Equal the Number of Voters Who Voted.
4. There Can Be No More Than One in 125,000 Ballots in Error by the Voting System (Help America Vote Act, 2002).



Whereas An open-source audit of the New York State 2022 General Election conducted by New York Citizens Audit has uncovered evidence of massive inaccuracies that violate both Federal and State laws, including:

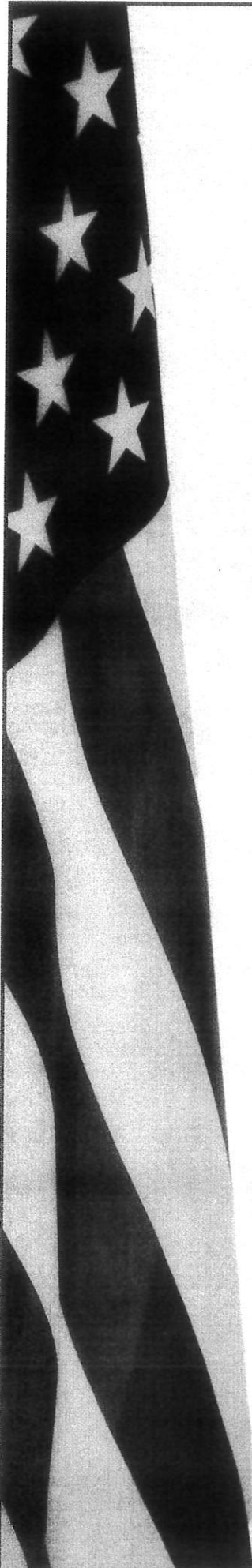
- ♦ **5,142,950** seemingly invalid or illegal registration violations found within the NY State voter roll database.
- ♦ **745,294** seemingly illegal votes cast in the 2022 general election.
- ♦ **35,312** more votes counted than voters who voted in the 2022 general election. No one knows who cast them.
- ♦ **745,246** apparent votes in error above the legal standard for a valid federal election. For the 2022 election in New York this number was **48**.
- ♦ Certification as defined by law, an attestation of accuracy and compliance, was provably fraudulent and illegal.

Whereas These findings trample accuracy requirements of voting systems for a Federal Election, wherein the system shall achieve a target error rate of no more than one in 10,000,000 ballot positions, or one in 125,000 ballots. For a voting system, accuracy is defined as the ability of the system to capture, record, store, consolidate and report the specific selections and absence of selections, made by the voter for each ballot position without error.

Whereas It must be known factually, and provably, that the intent of the voters is accurately represented by election results before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a Fraud ab Initio. (United States v. Throckmorton, 98 U.S. 61 (1878)).

Whereas State and Federal Officials have met the efforts of New York Citizens Audit to seek redress for these egregious violations with indifference and inaction, including the Attorney General, Secretary of State, State Board of Elections, Inspector General, Federal Bureau of Investigations, State Leadership of Democrat and Republican parties, County Election Officials, Sheriffs, District Attorneys, and others.

Whereas None of the reported 2020 violations were addressed prior to the administration and certification of the 2022 General Election, and there prevails a spirit of extreme contention and zero trust between people of differing political ideologies across New York, which is destructive to our families, our way of life, and the fabric of these United States.



Therefore We call upon our Representatives including Town Board Members, County Legislators, State Legislators, Federal Legislators, Law Enforcement, Federal and State Prosecutors, and Judges to provide relief to the people, and the assurance of domestic tranquility, through the fulfillment of each of the following firm requests:

1. A complete end-to-end audit of the New York State 2022 General Election, for both paper and electronic records, including ballots, by a mutually agreed upon external, third-party bonded auditing firm, possessed of adequate insurance and indemnification for the handling and protection of the personal identifying information of millions of New York citizens, in order to determine the true error rate. This audit will provide a comprehensive report and analysis of all lapses and errors with explanation of cause where it can be determined.
2. The enactment of legislation defining a mutually agreed upon process by which an end-to-end audit would be triggered in any future elections.
3. The enactment of legislation defining a mutually agreed upon accuracy rate for the voter roll databases.
4. The enactment of legislation allowing for anonymous vote verification and tracking by the voter (open-source, royalty-free patent pending), including automatic mechanisms to report and remedy errors during the canvass period following an election, regardless of ballot entry source.
5. Criminalize election misconduct explicitly with regard to State election law, and increase penalties to reflect the societal and generational harms inflicted by these crimes.

— Resolution on following page —



Be it Resolved

As recorded on the _____ of _____, 2023.

From: Bogdan Marginean <bogdan.p.marginean@gmail.com>
Sent: Wednesday, November 15, 2023 12:56 PM
To: COB_Clerk <Clerk@cityofbinghamton.gov>
Subject: Request for Discussion on Stuart Street Traffic Signs at Tonight's Meeting

Dear City of Binghamton,

I hope this letter finds you well. My name is Bogdan Marginean and I am a concerned student who attends Binghamton University. I am writing to bring attention to a matter that has caught my notice, specifically concerning Stuart Street, which is located adjacent to the University Downtown Center (UDC) where I attend most of my graduate classes.

It has come to my attention that Stuart Street lacks signage indicating whether cars are permitted to drive on that road. Given the proximity of this street to an academic institution like Binghamton University, I believe it is crucial to address this issue to ensure the safety and clarity of traffic regulations in the area.

I kindly request that the topic of installing appropriate traffic signs on Stuart Street be included in the agenda for tonight's business meeting. Having clear and visible signs will not only enhance the safety of pedestrians and drivers but will also contribute to a more organized and efficient traffic flow in the vicinity of the UDC.

Thank you for your consideration, and I look forward to a positive discussion on this topic at tonight's meeting.

Sincerely,
Bogdan P. Marginean
Binghamton University Student
914-365-0689

Caution: This email originated from outside the organization. BE SUSPICIOUS of any links in the email. If this email is asking for something unusual, do not reply to the email. Contact the sender through another method, or contact the City IT department for help.