



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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

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**COUNCIL OF THE CITY OF BINGHAMTON**  
**Business Meeting Agenda**  
**City Hall, 38 Hawley Street, Binghamton, NY 13901**  
**Wednesday, December 20, 2023**

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. ACKNOWLEDGEMENTS AND RECOGNITIONS**

**V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES**

**Approval of Minutes**

Approve the Minutes from the December 6, 2023 Business Meeting and December 14, 2023 Special Business Meeting.

**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**

**VII. PUBLIC HEARING**

***Postponed:*** Public Hearing regarding RL23-264 in compliance with New York State Housing and Community Renewal Grant requirements to receive comments on the City of Binghamton's current Community Development Block Grant project: 2100CVHR59-22, Binghamton Housing Authority Northshore Tower Elevator Rehab.

***The meeting will be SET again prior to having the Public Hearing.***

**VIII. SET PUBLIC HEARINGS**



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## 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](mailto:clerk@cityofbinghamton.gov) or in-person during the meeting.

## X. REVIEW OF MAYORAL VETO

## XI. SECOND READING LEGISLATION

## XII. FIRST READING LEGISLATION

### A. PREFERRED AGENDA

#### **Introductory Ordinance 23-159. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for the Police Department for various over-budget line items

#### **Introductory Ordinance 23-161. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for the Fire Department for various over-budget line items

#### **Introductory Ordinance 23-163. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for the Parks and Recreation Department for year-end extra week of payroll accrual

#### **Introductory Ordinance 23-165. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Water and Sewer Fund budget for additional postage, overtime and electricity expenses

#### **Introductory Ordinance 23-167. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Planning and Zoning budget for Office Supply costs

#### **Introductory Ordinance 23-168. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Housing & Urban Development Administration and Housing Budget for Legal Ads and Advertising expense

#### **Introductory Ordinance 23-169. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Golf Fund budget for various over-budget line item expenses

#### **Introductory Ordinance 23-170. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 budget to allocate American Rescue Plan Act funds to support Greater Opportunities for Broome and Chenango



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**Introductory Ordinance 23-183. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Refuse Fund budget to cover retirement and fuel expenses and tipping fees

**Introductory Resolution 23-96. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Great Opportunities for Broome and Chenango to support affordable and senior housing projects on Munsell Street

**B. NON PREFERRED AGENDA**

**Introductory Ordinance 23-158. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for increased electricity and street light expense

**Introductory Ordinance 23-160. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for the Personnel Department for various over-budget line items

**Introductory Ordinance 23-162. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for the Economic Development Department to account for year-end extra week of payroll accrual

**Introductory Ordinance 23-164. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget to cover a Workers' Compensation buyout

**Introductory Ordinance 23-171. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget for various over-budget line items at year-end

**Introductory Ordinance 23-172. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Ramp Fund budget for various over-budget line items at year-end

**Introductory Ordinance 23-173. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Department of Public Works budget for responsibility adjustments

**Introductory Ordinance 23-174. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget to allocate American Rescue Plan Act funds for Marketing, Promotions, and Tourism in the City

**Introductory Ordinance 23-175. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Capital Fund budget to close account lines no longer active



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**Introductory Ordinance 23-176. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget to use loss revenue funds per the American Rescue Plan Act for the rehabilitation of 11 Court Street

**Introductory Ordinance 23-177. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Capital Fund budget to close account lines no longer active

**Introductory Ordinance 23-178. Considered in Employees: Strawn**

An Ordinance to amend the City Charter Chapter 124 Section 39 & Chapter 265 Section 2 to update the title "Executive Assistant to the Mayor" to "Deputy Mayor"

**Introductory Ordinance 23-179. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget to accept the fourth round of the NYS Healthcare Workers Bonus for Personal Services for the Fire Department

**Introductory Ordinance 23-180. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Joint Sewer Project budget for the settlement of a lawsuit and to create a new budget line for payment

**Introductory Ordinance 23-181. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund budget and Capital budget for the purchase of various properties

**Introductory Ordinance 23-182. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Binghamton-Johnson City Joint Sewage Treatment Facilities Permanent Ordinance 23-19 to correct various budget lines to defund an Account Clerk/Typist and Fund a Confidential Senior Account Clerk position

**Introductory Resolution 23-95. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to accept the Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant

**Introductory Resolution 23-97. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to extend the agreement with the Binghamton City School District for the Scholl Resource Officers at the High School and Middle Schools for 2023-2024

**Introductory Resolution 23-98. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into agreement with the Greater Binghamton Chamber of Commerce to support Marketing, Promotions, and Tourism in the City for the years 2024-2025



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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**Introductory Resolution 23-99. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into agreement with the Binghamton Local Development Corporation for the rehabilitation of 11 Court Street

**Introductory Resolution 23-100. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into a parking agreement with the Boscov's Department Store. LLC for parking at the Water Street Parking Garage

**Introductory Resolution 23-101. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with NYHART for Governmental Accounting Standard Board No. 75 actuarial services

**Introductory Resolution 23-102. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Exact Capital to support an affordable housing rehabilitation project

**Introductory Resolution 23-103. Considered in Rules/SS: Scanlon**

A Resolution authorizing Visions Federal Credit Union and Social on State to conduct a fireworks display on December 31<sup>st</sup> for New Year's Eve 2023-2024 at midnight

**XIII. COMMUNICATIONS FROM COUNCIL MEMBERS**

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

**XIV. ADJOURNMENT**



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR THE POLICE  
DEPARTMENT FOR VARIOUS OVER-BUDGET  
LINE ITEMS

WHEREAS, the Police Chief and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget for the Police Department to fund various over-budget line items in the amount of \$168,500; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for the Police Department to fund various over-budget line items in the amount of \$168,500 as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$ 1,000 A3320.51800 (Temp Svcs - PD)	\$ 1,000 A3320.51000 (Per Svcs)
\$ 5,000 A3120.51677 (Incentive)	\$ 7,500 A3120.54112 (Fuel)
\$ 2,500 A3120.54114 (Lubricants)	\$ 20,000 A3120.51016 (School Guards)
\$ 5,000 A3120.51678 (Field Trn Off Pay)	\$140,000 A3120.51900 (Overtime)
\$ 1,500 A3120.51800 (Temp Svcs – PD)	
\$148,000 A3120.51000 (Pers Svcs – Pol Off)	
\$ 5,000 A3120.54190 (Uniforms)	
<u>\$168,500</u>	<u>\$168,500</u>

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR THE FIRE  
DEPARTMENT FOR VARIOUS OVER-BUDGET  
LINE ITEMS**

WHEREAS, the Fire Chief and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget for the Fire Department to fund various over-budget line items in the amount of \$75,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for the Fire Department to fund various over-budget line items in the amount of \$75,000 as follows:

Transfer From (Decrease):

\$ 5,000 A3410.51630 (OOT- FD)  
 \$ 5,000 A3410.51660 (AL Time)  
 \$ 1,500 A3410.51800 (Temp Labor)  
 \$ 4,500 A3410.54119 (EMS Supplies)  
 \$ 5,000 A3410.54201 (Gas/Heat)  
 \$ 4,000 A3410.54620 (Equip Rep/Maint)  
\$ 50,000 A3410.51000 (Pers Svcs - FF)  
 \$ 75,000

Transfer To (Increase):

\$ 12,000 A3410.54112 (Fuel)  
 \$ 12,000 A3410.54410 (Prof Svcs)  
 \$ 50,000 A3410.51900 (Overtime)  
 \$ 1,000 A3410.54102 (Gen Oper Supplies)  
\$ 75,000

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
 Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR THE PARKS  
AND RECREATION DEPARTMENT FOR  
YEAR-END EXTRA WEEK OF PAYROLL  
ACCRUAL

WHEREAS, the Commissioner of Parks and Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget for the Parks and Recreation Department to account for year-end extra week of payroll accrual in the amount of \$2,500; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for the Parks and Recreation Department to account for year-end extra week of payroll accrual in the amount of \$2,500 as follows:

Transfer From (Decrease):

\$ 2,500 A7020.51800 (Temp Svcs)

Transfer To (Increase):

\$ 2,500 A7020.51000 (Pers Svcs - Parks)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller





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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023 WATER  
AND SEWER FUND BUDGET FOR  
ADDITIONAL POSTAGE, OVERTIME AND  
ELECTRICITY EXPENSES**

WHEREAS, the Superintendent of Water/Sewer and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Water and Sewer Fund budget for additional postage, overtime and electricity costs in the amount of \$56,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Water and Sewer Fund budget for additional postage, overtime and electricity expenses in the amount of \$56,000 as follows:

Transfer From (Decrease):

\$ 20,000 G8130.54000 (Sewer Trt Plant)  
\$ 20,000 G9730.56000 (BAN Principal)  
\$ 13,750 FX8330.54202 (Electricity)  
\$ 2,250 FX8310.51000 (Per Services)  

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\$ 56,000

Transfer To (Increase):

\$ 2,750 G8110.54652 (Postage)  
\$ 17,250 G8120.51900 (Overtime)  
\$ 20,000 G8120.54202 (Electricity)  
\$ 5,000 FX8310.54652 (Postage)  
\$ 11,000 FX8310.51900 (Overtime)  
\$ 56,000

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
PLANNING AND ZONING BUDGET FOR  
OFFICE SUPPLY COSTS**

WHEREAS, the Director of Planning, Housing and Historic Preservation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Planning and Zoning budget for office supply costs in the amount of \$523.86; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Planning and Zoning budget for office supply costs in the amount of \$523.86 as follows:

Transfer From (Decrease):

\$ 523.86 A8020.54102 (Planning-GenOpSup)

Transfer To (Increase):

\$ 523.86 A8684.54101 (PlanZoning OffSup)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
HOUSING & URBAN DEVELOPMENT  
ADMINISTRATION AND HOUSING BUDGET  
FOR LEGAL ADS AND ADVERTISING  
EXPENSE**

WHEREAS, the Director of Planning, Housing and Historic Preservation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Housing and Urban Development and Housing budget for legal advertisements and advertising in the amount of \$1,665.04; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Housing and Urban Development and Housing budget for legal advertisements and advertising in the amount of \$1,665.04 as follows:

Transfer From (Decrease):

\$ 609.90 A8010.54650 (Zoning-LegAds/Adv)  
\$1,055.14 A8020.54650 (Planning LegAds/Adv)  
\$1,665.04

Transfer To (Increase):

\$1,665.04 A8686.54650 (HUD-LegAd/Adv)

Section 2. That this Ordinance shall take effect immediately.

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are unencumbered and available

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Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023 GOLF  
FUND BUDGET FOR VARIOUS OVER-  
BUDGET LINE ITEM EXPENSES**

WHEREAS, the Commissioner of Parks and Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Golf Fund budget for various over-budget line item expenses in the amount of \$35,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Golf Fund budget for various over-budget line item expenses in the amount of \$35,000 as follows:

Transfer From (Decrease):

\$ 15,000 CR9730.56000 (BAN Principal)  
\$ 6,650 CR9730.57000 (BAN Interest)  
  
\$ 1,000 CR7180.50105 (Food&Bvg-COGS)  
\$ 7,000 CR7180.54421C (Golf Crse Maint)  
\$ 5,350 CR7180.54427B (Golf Maint Labor)

\$ 35,000

Transfer To (Increase):

\$ 9,800 CR7180.54421A (Golf Op Exp)  
\$ 8,000 CR7180.50100 (ProShopMcds-  
COGS)  
\$ 2,700 CR7180.54300 (Insurance)  
\$ 6,750 CR7180.54421B (Gen&Admin)  
\$ 4,750 CR7180.54421D (Food&Bvg Exp)  
\$ 1,000 CR7180.54427A (Golf Ops Labor)  
\$ 2,000 CR7180.54427C (F&B Labor)  
\$ 35,000

Section 2. That this Ordinance shall take effect immediately.

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are unencumbered and available

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Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
BUDGET TO ALLOCATE AMERICAN RESCUE  
PLAN ACT FUNDS TO SUPPORT GREATER  
OPPORTUNITIES FOR BROOME AND  
CHENANGO**

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to allocate American Rescue Plan Act (ARPA) funds in the amount of \$2,500,000 to support Greater Opportunities for Broome and Chenango in the creation of new units of affordable housing; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to allocate ARPA funds in the amount of \$2,500,000 to support Greater Opportunities for Broome and Chenango in the creation of new units of affordable housing as follows:

- (i) \$2,500,000 increase expense budget line A9950.59000.F0015 (Interfund Transf)
- (ii) \$2,500,000 increase revenue budget line H.45031.F0015 (Interfund Transf)
- (iii) \$2,500,000 increase revenue budget line A.44089.F0015 (Fed.Aid - Other)
- (iv) \$2,500,000 increase expense budget line H8686.54756.F0015 (Affor. Housing)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
REFUSE FUND BUDGET TO COVER  
RETIREMENT AND FUEL EXPENSES AND  
TIPPING FEES**

WHEREAS, the Acting Commissioner of Public Works and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Refuse Fund budget to cover retirement and fuel expenses and tipping fees in the amount of \$102,960; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Refuse Fund budget to cover retirement and fuel expenses and tipping fees in the amount of \$102,960 as follows:

- (i) \$ 50,000 decrease expense budget line CL8160.51000 (Personal Svcs – St Maint)
- (ii) \$ 52,960 increase revenue budget line CL.41710 (Public Works Charges)
- (iii) \$ 4,000 increase expense budget line CL8160.54112 (Gas/Fuel)
- (iv) \$ 48,960 increase expense budget line CL9010.58000A (Retirement)
- (v) \$ 50,000 increase expense budget line CL8160.54661 (Tipping Fees)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
GREATER OPPORTUNITIES FOR BROOME  
AND CHENANGO TO SUPPORT AFFORDABLE  
AND SENIOR HOUSING PROJECTS ON  
MUNSELL STREET

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with Greater Opportunities for Broome and Chenango for use of American Rescue Plan Act (ARPA) funds to support affordable and senior housing construction projects on Munsell Street in an amount not to exceed \$2,500,000.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with Greater Opportunities for Broome and Chenango for use of ARPA funds to support affordable and senior housing construction projects on Munsell Street in an amount not to exceed \$2,500,000; and that funds will be available in budget line H8686.54756.F0015 (Aff Housing - ARPA) for this purpose.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR INCREASED  
ELECTRICITY AND STREET LIGHT EXPENSE**

WHEREAS, the Deputy Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget due to increased electricity and street light expense in the amount of \$175,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget due to increased electricity and street light expense in the amount of \$175,000 as follows:

- (i) \$ 6,000 decrease expense budget line A1620.54202 (Electricity)
- (ii) \$ 5,000 decrease expense budget line A1650.54202 (Electricity)
- (iii) \$165,000 increase expense budget line A5182.54202 (Street Lights)
- (iv) \$ 10,000 increase expense budget line A8410.54202 (Electricity)
- (v) \$ 25,000 increase revenue budget line A.41240 (Comptroller Fees)
- (vi) \$139,000 increase revenue budget line A.42401 (Interest)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller





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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR THE  
PERSONNEL DEPARTMENT FOR VARIOUS  
OVER-BUDGET LINE ITEMS**

WHEREAS, the Personnel Director and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget for the Personnel Department to fund various over-budget line items in the amount of \$950; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for the Personnel Department to fund various over-budget line items in the amount of \$950 as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$ 350 A1430.54650 (Legal Ads/Advertising)	\$ 350 A1430.51900 (Overtime)
\$ 600 A1430.54432 (Medical Svcs)	\$ 600 A1430.51000 (Pers Svcs)
\$ 950	\$ 950

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR THE  
ECONOMIC DEVELOPMENT DEPARTMENT  
TO ACCOUNT FOR YEAR-END EXTRA WEEK  
OF PAYROLL ACCRUAL

WHEREAS, the Director of Economic Development and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget for the Economic Development Department to account for year-end extra week of payroll accrual in the amount of \$800; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for the Economic Development Department to account for year-end extra week of payroll accrual in the amount of \$800 as follows:

Transfer From (Decrease):

\$ 400 A6989.54101 (Office Supplies)  
\$ 200 A6989.54701 (Travel & Training)  
\$ 200 A6989.54702 (Subs-Dues & Mem)  
\$ 800

Transfer To (Increase):

\$ 800 A6989.51000 (Pers Svcs - ED)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET TO COVER A  
WORKERS' COMPENSATION BUYOUT**

WHEREAS, Corporation Counsel and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget to cover a Workers' Compensation buyout in the amount of \$164,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget to cover a Workers' Compensation buyout in the amount of \$164,000 as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$ 47,806 M1910.51000 (Pers Svcs - Engineer)	\$120,000 M9040.54901 (W/C Claims)
\$ 4,500 M1910.51900 (Overtime)	\$ 44,000 M1910.54430 (Legal Svcs)
\$ 45,000 M1910.54300 (Insurance)	
\$ 14,000 M1910.54900 (Prov for Incurred Loss)	
\$ 32,194 M1910.51000 (Pers Svcs-1 <sup>st</sup> Asst Coun)	
\$ 20,500 M9040.54904 (W/C Insurance)	
\$164,000	<u>\$164,000</u>

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET FOR VARIOUS  
OVER-BUDGET LINE ITEMS AT YEAR-END**

WHEREAS, the Deputy Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget to account for various over-budget line items at year-end in the amount of \$150,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for various over-budget line items at year-end in the amount of \$150,000 as follows:

Transfer From (Decrease):

\$ 25,000 A3120.51000 (Pers Svcs-Police)  
\$ 85,000 A3410.51000 (Pers Svcs-Fire)  
\$ 40,000 A5110.51000 (Pers Svcs-St Maint)  
\$150,000

Transfer To (Increase):

\$127,900 A9030.58000C (Social Security)  
\$ 12,000 A9050.58000E (Unempl. Ins)  
\$ 10,100 A9085.58000 (Supp Pmt-Dis FF )  
\$150,000

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023 RAMP  
FUND BUDGET FOR VARIOUS OVER-  
BUDGET LINE ITEMS AT YEAR-END**

WHEREAS, the Deputy Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Ramp Fund budget to account for various over-budget line items at year-end in the amount of \$17,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for various over-budget line items at year-end in the amount of \$17,000 as follows:

Transfer From (Decrease):

\$ 17,000 CP5650.54427.7HAWL (Mgmt Svcs)

Transfer To (Increase):

\$ 8,500 CP5650.54406 (Credit Card Fees)  
\$ 8,300 CP5650.54427.COLLR (Mgt Svcs)  
\$ 200 CP5650.54112 (Gas/Fuel)  
\$17,000

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
DEPARTMENT OF PUBLIC WORKS BUDGET  
FOR RESPONSIBILITY ADJUSTMENTS**

WHEREAS, the Director of Personnel and Safety and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Department of Public Works (DPW) budget to temporarily adjust the salary of the “Superintendent of City Streets” and “1<sup>st</sup> Deputy Commissioner”; and

WHEREAS, the position of the Commissioner of the DPW has become vacant due to Commissioner’s departure; and

WHEREAS, the “Superintendent of City Streets” was named “Acting Commissioner”; and

WHEREAS, the “1<sup>st</sup> Deputy Commissioner” is assuming additional responsibilities in support of the “Acting Commissioner” as well as some “Superintendent of City Streets” responsibilities; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 DPW budget to (i) temporarily increase the “Superintendent of City Streets” salary by \$2,594.30; (ii) temporarily increase the “1<sup>st</sup> Deputy Commissioner” salary by \$864.78; and (iii) to fund the increases to the “Superintendent of City Streets” and “1<sup>st</sup> Deputy Commissioner” positions from November 26, 2023 until December 31, 2023, paid as a responsibility adjustment as follows:

Transfer From (Decrease):

\$3,459.08 A1490.51000 (Per.Svcs DPW Comis)

Transfer To (Increase):

\$2,594.30 A1490.51000 (Per Svcs-SupofSt)

864.78 A1490.51000 (Per Svcs-1<sup>st</sup> Dept)

\$3,459.08

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

Date: December 20, 2023

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

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Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET TO ALLOCATE  
AMERICAN RESCUE PLAN ACT FUNDS FOR  
TOURISM, CITY MARKETING, AND  
PROMOTIONS**

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to allocate American Rescue Plan Act (ARPA) funds in the amount of \$150,000 to support tourism, city marketing, and promotions in the City of Binghamton; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to allocate the ARPA funds in the amount of \$150,000 to support tourism, city marketing, and promotions in the City of Binghamton as follows:

- (i) \$150,000 increase revenue budget line A.44089.F0015 (Federal Aid – Stimulus)
- (ii) \$150,000 increase expense budget line A6989.54742.F0015 (Tourism/Marketing/Promotions ARPA)

Section 2. That this ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller





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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
CAPITAL FUND BUDGET TO CLOSE  
ACCOUNT LINES NO LONGER ACTIVE

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2023 Capital Fund budget to close account lines that are no longer active; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Capital Fund budget to close account lines that are no longer active as follows:

- (i) \$ 24.91 increase expense budget line H9901.59000 (Interfund Transfer)
- (ii) \$ 24.91 increase revenue budget line A.45031 (Interfund Transfer)
- (iii) \$ 0.01 decrease expense budget line H1490.525203 (550 Dump Truck)
- (iv) \$ 0.36 decrease expense budget line H1490.525114 (Acquisitn - Dump Truck)
- (v) \$ 0.47 decrease expense budget line H5197.525097 (Dump Trucks)
- (vi) \$ 24.07 decrease expense budget line H3120.550006 (DARE)
- (vii) \$9,123,031.07 decrease expense budget line H1310.550000 (Bond Redemption)
- (viii) \$9,123,031.07 decrease revenue budget line H.45710 (Serial Bond)
- (ix) \$ 24.91 increase expense budget line A1310.54103 (Printing)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET TO USE LOSS  
REVENUE FUNDS PER THE AMERICAN  
RESCUE PLAN ACT FOR  
REHABILITATION OF 11 COURT STREET**

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to (i) create a new budget line for BLDC Development, and (ii) use Loss Revenue funds per the American Rescue Plan Act (ARPA) in the amount of \$2,500,000 to support the rehabilitation of 11 Court Street; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to (i) create a new budget line for BLDC Development, and (ii) use Loss Revenue funds per ARPA in the amount of \$2,500,000 to support the rehabilitation of 11 Court Street in the City of Binghamton as follows:

- (i) \$2,500,000 increase expense budget line A6989.54485 (BLDC Devel)
- (ii) \$2,500,000 increase revenue budget line A.44089.F0015 (Fed Aid - ARPA)

Section 2. That this ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
CAPITAL FUND BUDGET TO CLOSE  
ACCOUNT LINES NO LONGER ACTIVE**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2023 Capital Fund budget to close account lines that are no longer active; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Capital Fund budget to close account lines that are no longer active as follows:

- (i) \$ 79,831.10 decrease expense budget line H6989.555555.X0002 (Restore NY IV – 435 State Street)
- (ii) \$ 79,831.10 decrease revenue budget line H.43089.X0002 (State Aid – Restore IV – 435 State Street)
- (iii) \$ 12.20 decrease expense budget line H8660.555555.C0039 (AHC 4P85 Grant)
- (iv) \$ 12.20 decrease revenue budget line H.43989.C0039 (State Aid-AHC 4P85 Grant)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE CITY  
CHARTER CHAPTER 124 SECTION 39 &  
CHAPTER 265 SECTION 2 TO UPDATE THE  
TITLE "EXECUTIVE ASSISTANT TO THE  
MAYOR" TO "DEPUTY MAYOR"

WHEREAS, the Mayor and the Council of the City of Binghamton has recommended to amend the City Code Chapter 124, *Personnel Policies*, §124-39, *Definition*; and Chapter 265, *Housing and Property Maintenance*, §265-2, *Word usage; definitions*, to update the title of "Executive Assistant to the Mayor" to "Deputy Mayor".

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 124, *Personnel Policies*, §124-39, *Definitions*, is hereby amended as follows:

§ 124-39. Definition. [Amended 12-16-1985 by Ord. No. 174-85; 5-1-1989 by Ord. No. 49-89; 2-20-1996 by Ord. No. 18-96; 12-20-1999 by Ord. No. 99-187; Amended 6-20-2005 by Ord. No. 05-40; Amended 4-7-08 by Ord. No. 16-2008; Amended 8-18-10 by Ord. No. 10-39; Amended 11-22-2013 by No. Ord. 1387; Amended 12-17-2014 by Ord. No. 14-71; Amended 1-6-2017 by Ord. No. 16-105; Amended 12-5-2018 by Ord. No. 18-116; Amended 1-8-2020 by Ord. No. 20-04; Amended 12-23-2020 by Ord. No. 20115; Amended 11-17-2021 by Ord. No. 21-132; Amended 5-4-2022 by Ord No. 22-81 & Ord No. 22-82; Amended 1-11-2023 by Ord. No. 23-01; **Amended \_\_\_\_\_ 2023 by Ord No. \_\_\_\_\_**]

Wherever the term "officers and employees" is used in this article, said term shall be deemed to include only the positions set forth in sections 1 and 2 below or their equivalents, except where specified to the contrary. Should any of the below enumerated positions become part of a collective negotiation unit, said position shall be deleted from this section. The provisions of this article shall be applicable to the officers and employees to the extent allowable under law.

1. The positions (elected and management appointed) to be included in this Section 1 are designated as follows:
  - A. 1st Assistant Corporation Counsel
  - B. 1st Deputy Commissioner
  - C. Assessor
  - D. Assistant Corporation Counsel (2)
  - E. City Clerk
  - F. City Engineer
  - G. Comptroller

THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: December 20, 2023

H. Commissioner of Parks  
I. Corporation Counsel  
J. Deputy City Clerk  
K. Director of Economic Development  
L. Director of Planning, Housing and Community Development  
M. Commissioner of Public Works  
N. ~~Executive Assistant to the Mayor~~ Deputy Mayor  
O. Mayor  
P. Personnel & Safety Director  
Q. Secretary to Corporation Counsel  
R. Secretary to the Mayor  
S. City Treasurer

Section 2. That the Code of the City of Binghamton, Chapter 265, *Housing and Property Maintenance*, §265-2, *Word usage; definitions*, is hereby amended as follows:

§265-2. Word usage; definitions. [Amended 8-15-1988 by Ord. No. 106-88; 10-4-1993 by Ord. No. 138-93; Amended 4-16-07 by Ord. No. 10A-2007; Amended 7-20-09 by Ord. No. 23-2009; Amended 67-2004 by Ord. No. 04-57; Amended 12-7-2022 by Ord. No. 22-179; Amended \_\_\_\_\_ 2023 by Ord No. \_\_\_\_\_]

The following definitions shall apply in the interpretation and enforcement of this chapter:

HEARING OFFICER -- The Mayor, ~~Executive Assistant to the Mayor~~ Deputy Mayor, or any member of the City administration or resident of the City of Binghamton designated in writing for that purpose by the Mayor, excluding any member of the Code Enforcement Department

Section 3. That this ordinance shall take effect immediately.



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND BUDGET TO ACCEPT THE  
FOURTH ROUND OF THE NYS HEALTHCARE  
WORKERS BONUS FOR PERSONAL SERVICES  
FOR THE FIRE DEPARTMENT**

WHEREAS, the Fire Chief and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund budget for the Fire Department to accept the fourth round of the New York State Health Care Workers Bonus in the amount of \$17,762.25; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund budget for the Fire Department to accept the fourth round of the New York State Health Care Workers Bonus in the amount of \$17,762.25 as follows:

- (i) \$ 16,500.00 increase expense budget line A3410.51000 (Personal Services)
- (ii) \$ 1,262.25 increase expense budget line A9030.58000B (Social Security)
- (iii) \$ 17,762.25 increase revenue budget line A.43098 (State Aid-Other Public Safety)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023 JOINT  
SEWER PROJECT BUDGET FOR THE  
SETTLEMENT OF A LAWSUIT AND TO  
CREATE A NEW BUDGET LINE FOR  
PAYMENT

WHEREAS, the City of Binghamton (the "City") has heretofore authorized the issuance of bonds to finance the construction of various improvements to the sewage treatment plant located in the Town of Vestal, New York and jointly owned by the City and the Village of Johnson City (the "Village"); and

WHEREAS, the estimated maximum cost of the project was \$365,000,000 and the City authorized bonds in the principal amount of \$200,020,000 to finance the City's local share of such cost; and

WHEREAS, the City and the Village have completed the project and recently settled litigation claims relating thereto; and

WHEREAS, such settlement is expected to be paid 54.8% from the City and 45.2% from the Village of Johnson City from settlements received from FEMA and litigation related to the wall collapse and as a result the City will not issue additional bonds to finance the settled claims; and

WHEREAS, the City of Binghamton finds it proper and necessary (i) to amend the 2023 Joint Sewer Project budget for the settlement of a lawsuit and (ii) to create a new budget line in the amount of \$17,000,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2023 BJCJSTF budget to (i) create a new budget appropriations line, Settlement Agreement, and (ii) increase the account lines of Settlement

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

Date: December 20, 2023

Agreement, Other Compensated Losses by the City share, and General Service – Other Govts by Village for litigation settlement as follows:

- (i) \$17,000,000 increase expense budget line HX8150.54910 (Settlement Agreement)
- (ii) \$ 9,316,000 increase revenue budget line HX.42960 (Other Compensated Losses)
- (iii) \$ 7,684,000 increase revenue budget line HX.42210.J11NN (General Svcs-Other Govts)

Section 2. The payment of the settled claims by the City and the Village, the estimated cost of the project, including the payment of the settled claims, will be \$369,980,476.66, with the City's portion being \$202,749,301.21 and such revised estimated maximum cost is hereby approved.

Section 3. That this Ordinance shall be effective when also approved by sufficient members of the Board of Trustees of the Village.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller/JSB Fiscal Officer





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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND AND CAPITAL BUDGETS  
FOR THE PURCHASE OF VARIOUS  
PROPERTIES

WHEREAS, the Deputy Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund and Capital budgets for the purchase of various properties in an amount not to exceed \$750,569.56; and

WHEREAS, it is proper and necessary to amend the 2023 General Fund and Capital budget for an Extension of Abstract of Titles or Title Insurance as is warranted in the purchase of these properties in an amount not to exceed \$60,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 20, 2023.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 General Fund and Capital budgets for the purchase of various properties in an amount not to exceed \$750,569.56 and an Extension of Abstract of Titles or Title Insurance in an amount not to exceed \$60,000 as follows:

- (i) \$750,569.56 increase expense budget line A9950.59000.F0015 (Interfund Transf)
- (ii) \$750,569.56 increase revenue budget line A.49999 (Fund Balance)
- (iii) \$750,569.56 increase revenue budget line H.45031 (Interfund Revenues)
- (iv) \$750,569.56 increase expense budget line H1364.54681 (Prop Acquired for Taxes/Settlements)
- (v) \$ 60,000.00 increase expense budget line A9950.59000.F0015 (Interfund Transf)
- (vi) \$ 60,000.00 increase revenue budget line A.49999 (Fund Balance)
- (vii) \$ 60,000.00 increase revenue budget line H.45031 (Interfund Revenues)
- (viii) \$ 60,000.00 increase expense budget line H1364.54681 (Prop Acquired for Taxes/Settlements)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE TREATMENT FACILITIES  
PERMANENT ORDINANCE 23-19 TO  
CORRECT VARIOUS BUDGET LINES TO  
DEFUND AN ACCOUNT CLERK/TYPIST AND  
FUND A CONFIDENTIAL SENIOR ACCOUNT  
CLERK POSITION

WHEREAS, the City of Binghamton (the "City") is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the "BJCJSTF") with the Village of Johnson City (the "Village"); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "JSB") under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Ordinance 23-19 dated January 25, 2023 entitled "An Ordinance to amend the 2023 Binghamton-Johnson City Joint Sewage Treatment Facilities Budget to defund an Account Clerk/Typist and fund a Confidential Senior Clerk position"; and

WHEREAS, the JSB requested an amendment to the 2023 BJCJSTF budget to defund an Account Clerk/Typist position, and to fund a Confidential Senior Account Clerk position at an annual salary of \$41,912; and

WHEREAS, the BJCJSTF Business Manager finds it proper and necessary to correct Permanent Ordinance 23-19 to transfer funds from Personal Services – Hourly to Personal Services – Salaried along with related taxes and retirement in the amount of \$41,388.

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

Section 1. That Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2023 BJCJSTF budget to correct the Permanent Ordinance 23-19 error as follows:

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

Date: December 20, 2023

Transfer From (Decrease):

\$34,426 ES8130.51000.JS2HR (Per.Ser-Hrly.)  
\$ 4,298 ES9010.58000A.JS2HR (Retirement)  
\$ 2,633 ES9010.58000B.JS2HR (SS)  
\$ 31 ES9040.58000D.JS2HR (WC)  
\$41,388

Transfer To (Increase):

\$34,426 ES8130.51000.JS1SL (Per.Ser-Sal)  
\$ 4,298 ES9010.58000A.JS1SL (Ret.)  
\$ 2,633 ES9030.58000B.JS1SL (SS)  
\$ 31 ES9040.58000D.JS1SL (WC)  
\$41,388

Section 2. That this Ordinance shall be effective when also approved by sufficient members of the Board of Trustees of the Village.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

**A RESOLUTION AUTHORIZING THE MAYOR  
TO ACCEPT THE FISCAL YEAR 2023 EDWARD  
BYRNE MEMORIAL JUSTICE ASSISTANCE  
GRANT**

WHEREAS, the City of Binghamton is eligible for a Edward Byrne Memorial Justice Assistance Grant Program (JAG Grant) in the amount of \$35,639 to be used to fund police officer patrols in City Parks in the summer; and

WHEREAS, the JAG Grant will require a Memorandum of Understanding with Broome County; and

WHEREAS, the JAG Grant does not require local match; the grant funds will be administered by the Crime Prevention Lieutenant or his designee; and the estimated date of completion will be September 30, 2026.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to accept a FY 2023 Edward Byrne Memorial Justice Assistance Grant Program grant in the amount of \$35,639; and to enter into a Memorandum of Understanding with Broome County establishing the City of Binghamton as the grant administering municipality; and that funds will be available in budget line H3120.555555.P0077 (Edward Byrne Mem - JAG).

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO EXTEND THE AGREEMENT WITH THE  
BINGHAMTON CITY SCHOOL DISTRICT FOR  
SCHOOL RESOURCE OFFICERS AT THE HIGH  
SCHOOL AND MIDDLE SCHOOLS FOR 2023-  
2024

WHEREAS, the City of Binghamton wishes to extend the agreement with the Binghamton City School District for School Resource Officers at the High School and Middle Schools, whereby the City agrees to provide the High School and each Middle School with one (1) police officer designated by the Chief of Police, and that the Binghamton City School District will pay the City for providing such police officer as provided in said agreement.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized and directed to extend the agreement, approved as to form and content by the Office of Corporation Counsel, with the Binghamton City School District for School Resource Officers at the High School and Middle Schools for 2023-2024.

## School Resource Officer Agreement

This agreement made this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the Binghamton City School District and the City of Binghamton as follows:

### WITNESETH:

WHEREAS the City of Binghamton (City) agrees to provide the Binghamton City School District (District) with a School Resource Officers (SRO) to be located at the Middles Schools and the District agrees to pay the City for providing the SRO; and

WHEREAS the District and the City desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the said SRO in the District;

### NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Goals and Objectives - It is understood and agreed that the District and City officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the Middles Schools:

1. Foster educational programs and activities that will increase student knowledge of and respect for the law and the function of law enforcement agencies;
2. Report serious crimes that occur on campus and cooperate with the law enforcement officials in their investigation of crimes that occur at school;
3. Cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus;
4. Provide law enforcement and police services to the school, school grounds and areas adjacent to the school. Investigate allegations of criminal incidents per police department policies and procedures. Enforce state and local laws and ordinances. Make appropriate referrals to juvenile authorities or other governmental agencies.
5. Work to prevent juvenile delinquency through close contact and positive relationships with students. The SRO shall conduct security inspections as permitted by law to deter criminal or delinquent activities. The SRO should monitor crime statistics and work with local patrol officers and students together to design crime prevention strategies.
6. Establish and maintain a close partnership with school administrators in order to provide for a safe school environment. Assist school officials with their efforts to enforce Board of Education policies and procedures. Ensure school administrator safety by being present during school searches, which may involve weapons, controlled dangerous substances or in such cases that, the student's emotional state may present a risk to the administrator. Assist school administrators in emergency

crisis planning and building security matters. Provide a course of training for school personnel in handling crisis situations, which may arise at the school.

7. Build working relationships with the school's staff as well as with student and parent groups.
8. Work with guidance counselors and other student support staff to assist students and to provide services to students involved in situations where referrals to service agencies are necessary. Assist in conflict resolution efforts.
9. Initiate interaction with students in the classroom and general areas of the school building. Promote the profession of police officer and be a positive role model. The SRO shall be encouraged to be an active member of the school community and participate in school events.

#### Employment and Assignment of School Resource Officer

1. The SRO shall be assigned by the City to the District to be utilized primarily at the Middle Schools, reporting directly to the Principal with the Chief as the immediate supervisor.
2. The District agrees to pay to the City an amount equal to the salary of two (2) SROs on a monthly basis, in the manner described herein.
3. The City agrees to issue the checks for the SRO's salary and the City agrees to pay for the SRO's employment benefits in accordance with the applicable Collective Bargaining Agreement, salary schedules, and employment practices of the City.
4. The District agrees that the SRO will be the officer, which is assigned to each school. The District agrees that if either SRO is absent for any reason; including but not necessarily limited to: in service training, sick leave, annual leave, disability, or workers compensation, then the position of SRO will not be filled by the City with another police officer. If such a situation occurs, the District agrees that it must continue to make payment hereunder subject to the provisions of paragraph 14.3. This provision is not intended to limit rights created by any Collective Bargaining Agreement or any Laws, Statutes or Ordinances, including those which give the City the ability hire, fire, and discipline the SRO, or which gives the City the ability to dispute or deny the following: the performance of the SRO, alleged disabilities claim for workers' compensation, and claims for 207-c. The SRO shall be subject to all other personnel policies and practices of the City, except as such policies or practices which may have to be modified to comply with the terms and conditions of this Agreement. If it reasonably believed that the Officer who is assigned as SRO to the District will be absent for more than five (5) consecutive school days, the District has the right to request that a new Officer be assigned as SRO for any period of the extended absence. The City will not unreasonably deny the District's request for a new SRO.
5. The City, in its sole discretion, shall have the power and authority to hire, discharge and discipline the SRO. The City agrees to defend, hold harmless and indemnify the District from and against any and all claims, suits or causes of action arising out of SRO's employment by the City and the assignment of the Officer as the SRO at the District; this shall include but

not be limited to allegations of unfair or unlawful employment practices brought by the SRO; except where there is intentional misconduct or gross negligence on behalf of the District.

6. The SRO shall be assigned by the City in collaboration with the District to be utilized primarily at the Middle Schools. The Chief of Police will make all decisions regarding the selection of the SRO. The Chief of Police may consult with the District prior to placement at the Middle Schools.
7. In the event the SRO is absent from work, the SRO shall notify both his supervisor in the City and the Principal of the Middle Schools to which the SRO is assigned.

#### Duty Hours

1. The maximum number of hours that a SRO shall be on duty in a work week shall be 40 hours. Specific SRO duty hours shall be set by mutual agreement between the District and the City.
2. The SRO shall be on duty at the school(s) from fifteen minutes before the beginning of the student instructional day until 15 minutes after the end of the students' school day unless modified by the mutual agreement between the City and District.
3. It is understood and agreed that time spent by the SRO attending court juvenile and/or criminal cases arising from and/or out their employment as an SRO shall be considered as hours worked under this Agreement.
4. In the event of an emergency, the SRO is ordered by the City to leave the school duty station during normal duty hours as described above and to perform other services for the City, the time spent shall not be considered hours worked under this Agreement. In such an event, the monthly compensation paid by the District to the City shall be reduced by the number of hours of SRO service not provided to the District or the hours shall be made up in a manner determined by mutual agreement of the parties.
5. At the discretion of the District and the SRO, a SRO can also work part time for the District. Part-time work is separate and distinct from the work defined under this SRO contract. Such Part-time work shall be requested by, and completely paid for by the District, including workers' compensation, etc.
6. Basic Qualifications of School Resource Officers - To be a SRO, an officer must first meet all of the following basic qualifications:
  7. Shall be a commissioned officer and should have four years of law enforcement experience;
  8. Shall possess a sufficient knowledge of the applicable Federal and State laws, City and County ordinances, and Board of Education policies and regulations.



9. Shall be capable of conducting criminal investigations.
10. Shall possess even temperament and set a good example for students; and
11. Shall possess communication skills, which would enable the officer to function effectively within the school environment.

#### Duties of School Resource Officer

1. To protect lives and property for the citizens and public-school students of the District;
2. The SRO shall present various subjects to the students. Such subjects shall include basic understanding of the laws, the role of the police officer, and the police mission.
3. As may be requested by the District, the SRO shall engage in individual and small group discussions with students based upon material presented in class to further establish rapport with students.
4. As may be requested by the District, the SRO shall make themselves available for conferences with students, parents, and faculty members in order to assist them with problems of law enforcement or of a crime prevention nature.
5. The SRO shall not act as a school disciplinarian, as disciplining students is a District responsibility. It is agreed and understood that the principal and appropriate school staff shall be responsible for investigating and determining, in their discretion, whether a student has violated school and/or board disciplinary codes or standards and the appropriate administrative action to take. However, this shall not be construed to prevent the SRO from sharing information with District administration/ staff, which may aid in the determination of whether a disciplinary offense occurred. Upon assignment, the SRO will be provided with copies of the Code of Conduct and expectations for behavior at each school. The SRO shall become familiar with district/school disciplinary codes and standards. The District will meet at least annually with the SRO for the purpose of reviewing applicable disciplinary standards.
6. To enforce Federal, State and Local criminal laws and ordinances, and to assist school officials with the enforcement of Board of Education Policies and Administrative Regulations regarding student conduct;
7. To investigate criminal activity committed on or adjacent to school property.
8. To answer questions that students may have about New York State criminal or juvenile laws;
9. To assist other law enforcement officers with outside investigations concerning students attending the school(s);
10. Shall participate in SRO training

### Chain of Command

1. As an employee of the City, the SRO shall follow the chain of command as set forth in the City Police Department Policies and Procedure Manual.
2. In the performance of their duties, the SRO shall coordinate and communicate with the Principal or the Principals' designee, with regards to arrests, when appropriate.

### Training/Briefing

1. The SRO shall be required by the City to attend training and briefing sessions. These sessions will be held at the direction of the police chief.
2. Training Sessions will be conducted to provide the SRO with appropriate in-service training such as up-dates in the law and in-service firearm training. The District also may provide training in Board of Education Policies, regulations and procedures.
3. The SRO shall participate in District training provided by the District as it relates to ensuring a physical and emotionally safe environment for learning.
4. Dress Code & Equipment - The SRO shall be required to wear a departmental issued uniform and carry departmental issued equipment including sidearm and radio. The SRO will not be provided a vehicle.
5. Investigation, Interrogation, Search and Arrest Procedures - school board policy and police department procedures shall apply.

### Controlled Substances

1. School officials shall notify the SRO in all cases involving the possession, sale or distribution of controlled substances at school or school activities.
2. Any controlled substances or suspected controlled substances confiscated by school officials shall be turned over to the SRO for proper identification and eventual destruction.
3. If there is probable cause to believe that a student or any other person has sold or is selling controlled substances at or near a school, the SRO shall be notified, and the SRO should file a juvenile petition or seek a criminal warrant. However, the decision to initiate a juvenile petition or criminal warrant will be the discretion of the SRO.

### Riots and Civil Disorders

1. In the event a riot or civil disorder occurs the SRO shall act in accordance with the Binghamton Police Department Policies, Procedures and Manual.

2. To the extent possible, all communications should be made by telephone to avoid alarming the public and news media.
3. The principal or his designee shall be prepared to respond to questions from the news media, parents and other members of the public as soon as order is restored.
4. If deemed necessary by school and law enforcement officials, the media and the public may be restricted to an area off campus away from the disturbance until order is restored.
5. The SRO or officer in charge shall consult with the principal about the need or decision to arrest and/or remove students and other persons from the campus. However, law enforcement officials shall have the authority to arrest and remove any person who commits an offense in their presence.
6. The names of any students arrested and removed from campus should not be released to the news media until their parents have been notified and in no event shall the names of students under age 16 who have been removed from campus be released to the news media.

#### Access to Education Records

1. School officials shall allow the SRO to inspect and copy any public records maintained by the school including student directory information such as yearbooks. However, law enforcement officials may not inspect and/or copy confidential student education records except in accordance with Family Education Rights and Privacy Act ("FERPA").
2. Term of Agreement- The term of this Agreement is one year commencing on July 1, 2023, through June 30, 2024. This Agreement will be renewed on a yearly basis by the mutual consent of the parties.

#### Consideration

1. For and in consideration of the City providing the SRO as described herein, the District agrees to reimburse the City for two (2) SRO salaries pursuant to the Collective Bargaining Agreement for Police Officers First Grade and positions in the amount of \$168,421 for the 2023-24 contract year. Such salaries shall include any increases in salary pursuant to any negotiations or revised Collective Bargaining Agreement.
2. The District shall pay the said compensation to the City in twelve equal monthly installments on or about the first day of each calendar month. At the beginning of every month, the District shall provide that next month's salary (1/12 of the total salary amount) to the Comptrollers' Office at the following address:

Comptroller's Office City of Binghamton  
38 Hawley Street, 2nd Floor  
Binghamton NY 13901

The checks shall be made payable to the City of Binghamton and will have a notation on each check which will indicate that the check is the payment of the salary of the SRO for a specific month (i.e., SRO September 2023).

No reimbursement by the District will be due for any periods of unpaid leave or time off or any periods of leave for which the City is not required to pay the SRO or for which the City receives reimbursement from any other source, in whole or in part.

#### Insurance and Indemnification

1. The City is self-insured. The City shall provide a certificate of insurance in an amount of not less than Two million dollars (\$2,000,000).
2. The City agrees to defend and hold the District its agent and employees free, harmless and indemnified from and against any and all claims, suits or causes of actions arising from or in any way out of the performance of the duties of the SRO or the SRO Program except where there is intentional actions or gross negligence on behalf of the District.
3. The District is self-insured. The District shall provide a certificate of insurance in an amount of not less than Two million dollars (\$2,000,000).
4. The District agrees to defend and hold the City, its agent and employees, including the SRO, free, harmless and indemnified from and against any and all claims, suits or causes of actions arising from or in any way out of the performance of the duties of the District or any District Program, except where there is intentional actions or gross negligence on behalf of the SRO.

Evaluation - It is mutually agreed that the District shall evaluate annually the SRO Program and shall provide information concerning the performance of each SRO. It is further understood that the District's information is advisory only and that the City is the sole authority to evaluate the performance and take any employment actions concerning the SRO.

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

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

\_\_\_\_\_  
Jared M. Kraham  
City of Binghamton, Mayor

\_\_\_\_\_  
Dr. Tonia Thompson  
Binghamton City School District,  
Superintendent

## School Resource Officer Agreement

This agreement made this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the Binghamton City School District and the City of Binghamton as follows:

### WITNESETH:

WHEREAS the City of Binghamton (City) agrees to provide the Binghamton City School District (District) with a School Resource Officers (SRO) to be located at the High School and the District agrees to pay the City for providing the SRO; and

WHEREAS the District and the City desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the said SRO in the District;

### NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Goals and Objectives - It is understood and agreed that the District and City officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the High School:

1. Foster educational programs and activities that will increase student knowledge of and respect for the law and the function of law enforcement agencies;
2. Report serious crimes that occur on campus and cooperate with the law enforcement officials in their investigation of crimes that occur at school;
3. Cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus;
4. Provide law enforcement and police services to the school, school grounds and areas adjacent to the school. Investigate allegations of criminal incidents per police department policies and procedures. Enforce state and local laws and ordinances. Make appropriate referrals to juvenile authorities or other governmental agencies.
5. Work to prevent juvenile delinquency through close contact and positive relationships with students. The SRO shall conduct security inspections as permitted by law to deter criminal or delinquent activities. The SRO should monitor crime statistics and work with local patrol officers and students together to design crime prevention strategies.
6. Establish and maintain a close partnership with school administrators in order to provide for a safe school environment. Assist school officials with their efforts to enforce Board of Education policies and procedures. Ensure school administrator safety by being present during school searches, which may involve weapons, controlled dangerous substances or in such cases that, the student's emotional state may present a risk to the administrator. Assist school administrators in emergency

crisis planning and building security matters. Provide a course of training for school personnel in handling crisis situations, which may arise at the school.

7. Build working relationships with the school's staff as well as with student and parent groups.
8. Work with guidance counselors and other student support staff to assist students and to provide services to students involved in situations where referrals to service agencies are necessary. Assist in conflict resolution efforts.
9. Initiate interaction with students in the classroom and general areas of the school building. Promote the profession of police officer and be a positive role model. The SRO shall be encouraged to be an active member of the school community and participate in school events.

#### Employment and Assignment of School Resource Officer

1. The SRO shall be assigned by the City to the District to be utilized primarily at the High School reporting directly to the Principal with the Chief as the immediate supervisor.
2. The District agrees to pay to the City an amount equal to the salary of the SRO on a monthly basis, in the manner described herein.
3. The City agrees to issue the checks for the SRO's salary and the City agrees to pay for the SRO's employment benefits in accordance with the applicable Collective Bargaining Agreement, salary schedules, and employment practices of the City.
4. The District agrees that the SRO will be the officer, which is assigned to each school. The District agrees that if either SRO is absent for any reason; including but not necessarily limited to: in service training, sick leave, annual leave, disability, or workers compensation, then the position of SRO will not be filled by the City with another police officer. If such a situation occurs, the District agrees that it must continue to make payment hereunder subject to the provisions of paragraph 14.3. This provision is not intended to limit rights created by any Collective Bargaining Agreement or any Laws, Statutes or Ordinances, including those which give the City the ability hire, fire, and discipline the SRO, or which gives the City the ability to dispute or deny the following: the performance of the SRO, alleged disabilities claim for workers' compensation, and claims for 207-c. The SRO shall be subject to all other personnel policies and practices of the City, except as such policies or practices which may have to be modified to comply with the terms and conditions of this Agreement. If it reasonably believed that the Officer who is assigned as SRO to the District will be absent for more than five (5) consecutive school days, the District has the right to request that a new Officer be assigned as SRO for any period of the extended absence. The City will not unreasonably deny the District's request for a new SRO.
5. The City, in its sole discretion, shall have the power and authority to hire, discharge and discipline the SRO. The City agrees to defend, hold harmless and indemnify the District from and against any and all claims, suits or causes of action arising out of SRO's employment by the City and the assignment of the Officer as the SRO at the District; this shall include but

not be limited to allegations of unfair or unlawful employment practices brought by the SRO; except where there is intentional misconduct or gross negligence on behalf of the District.

6. The SRO shall be assigned by the City in collaboration with the District to be utilized primarily at the High Schools. The Chief of Police will make all decisions regarding the selection of the SRO. The Chief of Police may consult with the District prior to placement at the High School.
7. In the event the SRO is absent from work, the SRO shall notify both his supervisor in the City and the Principal of the Middle Schools to which the SRO is assigned.

#### Duty Hours

1. The maximum number of hours that a SRO shall be on duty in a work week shall be 40 hours. Specific SRO duty hours shall be set by mutual agreement between the District and the City.
2. The SRO shall be on duty at the school(s) from fifteen minutes before the beginning of the student instructional day until 15 minutes after the end of the students' school day unless modified by the mutual agreement between the City and District.
3. It is understood and agreed that time spent by the SRO attending court juvenile and/or criminal cases arising from and/or out their employment as an SRO shall be considered as hours worked under this Agreement.
4. In the event of an emergency, the SRO is ordered by the City to leave the school duty station during normal duty hours as described above and to perform other services for the City, the time spent shall not be considered hours worked under this Agreement. In such an event, the monthly compensation paid by the District to the City shall be reduced by the number of hours of SRO service not provided to the District or the hours shall be made up in a manner determined by mutual agreement of the parties.
5. At the discretion of the District and the SRO, a SRO can also work part time for the District. Part-time work is separate and distinct from the work defined under this SRO contract. Such Part-time work shall be requested by, and completely paid for by the District, including workers' compensation, etc.
6. Basic Qualifications of School Resource Officers - To be a SRO, an officer must first meet all of the following basic qualifications:
7. Shall be a commissioned officer and should have four years of law enforcement experience;
8. Shall possess a sufficient knowledge of the applicable Federal and State laws, City and County ordinances, and Board of Education policies and regulations.
9. Shall be capable of conducting criminal investigations.

10. Shall possess even temperament and set a good example for students; and
11. Shall possess communication skills, which would enable the officer to function effectively within the school environment.

#### Duties of School Resource Officer

1. To protect lives and property for the citizens and public-school students of the District;
2. The SRO shall present various subjects to the students. Such subjects shall include basic understanding of the laws, the role of the police officer, and the police mission.
3. As may be requested by the District, the SRO shall engage in individual and small group discussions with students based upon material presented in class to further establish rapport with students.
4. As may be requested by the District, the SRO shall make themselves available for conferences with students, parents, and faculty members in order to assist them with problems of law enforcement or of a crime prevention nature.
5. The SRO shall not act as a school disciplinarian, as disciplining students is a District responsibility. It is agreed and understood that the principal and appropriate school staff shall be responsible for investigating and determining, in their discretion, whether a student has violated school and/or board disciplinary codes or standards and the appropriate administrative action to take. However, this shall not be construed to prevent the SRO from sharing information with District administration/ staff, which may aid in the determination of whether a disciplinary offense occurred. Upon assignment, the SRO will be provided with copies of the Code of Conduct and expectations for behavior at each school. The SRO shall become familiar with district/school disciplinary codes and standards. The District will meet at least annually with the SRO for the purpose of reviewing applicable disciplinary standards.
6. To enforce Federal, State and Local criminal laws and ordinances, and to assist school officials with the enforcement of Board of Education Policies and Administrative Regulations regarding student conduct;
7. To investigate criminal activity committed on or adjacent to school property.
8. To answer questions that students may have about New York State criminal or juvenile laws;
9. To assist other law enforcement officers with outside investigations concerning students attending the school(s);
10. Shall participate in SRO training



### Chain of Command

1. As an employee of the City, the SRO shall follow the chain of command as set forth in the City Police Department Policies and Procedure Manual.
2. In the performance of their duties, the SRO shall coordinate and communicate with the Principal or the Principals' designee, with regards to arrests, when appropriate.

### Training/Briefing

1. The SRO shall be required by the City to attend training and briefing sessions. These sessions will be held at the direction of the police chief.
2. Training Sessions will be conducted to provide the SRO with appropriate in-service training such as up-dates in the law and in-service firearm training. The District also may provide training in Board of Education Policies, regulations and procedures.
3. The SRO shall participate in District training provided by the District as it relates to ensuring a physical and emotionally safe environment for learning.
4. Dress Code & Equipment - The SRO shall be required to wear a departmental issued uniform and carry departmental issued equipment including sidearm and radio. The SRO will not be provided a vehicle.
5. Investigation, Interrogation, Search and Arrest Procedures - school board policy and police department procedures shall apply.

### Controlled Substances

1. School officials shall notify the SRO in all cases involving the possession, sale or distribution of controlled substances at school or school activities.
2. Any controlled substances or suspected controlled substances confiscated by school officials shall be turned over to the SRO for proper identification and eventual destruction.
3. If there is probable cause to believe that a student or any other person has sold or is selling controlled substances at or near a school, the SRO shall be notified, and the SRO should file a juvenile petition or seek a criminal warrant. However, the decision to initiate a juvenile petition or criminal warrant will be the discretion of the SRO.

### Riots and Civil Disorders

1. In the event a riot or civil disorder occurs the SRO shall act in accordance with the Binghamton Police Department Policies, Procedures and Manual.

2. To the extent possible, all communications should be made by telephone to avoid alarming the public and news media.
3. The principal or his designee shall be prepared to respond to questions from the news media, parents and other members of the public as soon as order is restored.
4. If deemed necessary by school and law enforcement officials, the media and the public may be restricted to an area off campus away from the disturbance until order is restored.
5. The SRO or officer in charge shall consult with the principal about the need or decision to arrest and/or remove students and other persons from the campus. However, law enforcement officials shall have the authority to arrest and remove any person who commits an offense in their presence.
6. The names of any students arrested and removed from campus should not be released to the news media until their parents have been notified and in no event shall the names of students under age 16 who have been removed from campus be released to the news media.

#### Access to Education Records

1. School officials shall allow the SRO to inspect and copy any public records maintained by the school including student directory information such as yearbooks. However, law enforcement officials may not inspect and/or copy confidential student education records except in accordance with Family Education Rights and Privacy Act ("FERPA").
2. Term of Agreement- The term of this Agreement is one year commencing on July 1, 2023, through June 30, 2024. This Agreement will be renewed on a yearly basis by the mutual consent of the parties.

#### Consideration

1. For and in consideration of the City providing the SRO as described herein, the District agrees to reimburse the City for the SRO salaries pursuant to the Collective Bargaining Agreement for Police Officers First Grade and positions in the amount of \$84,210 for the 2023-24 contract year. Such salaries shall include any increases in salary pursuant to any negotiations or revised Collective Bargaining Agreement.
2. The District shall pay the said compensation to the City in twelve equal monthly installments on or about the first day of each calendar month. At the beginning of every month, the District shall provide that next month's salary (1/12 of the total salary amount) to the Comptrollers' Office at the following address:

Comptroller's Office City of Binghamton  
38 Hawley Street, 2nd Floor  
Binghamton NY 13901

The checks shall be made payable to the City of Binghamton and will have a notation on each check which will indicate that the check is the payment of the salary of the SRO for a specific month (i.e., SRO September 2023).

No reimbursement by the District will be due for any periods of unpaid leave or time off or any periods of leave for which the City is not required to pay the SRO or for which the City receives reimbursement from any other source, in whole or in part.

Insurance and Indemnification

1. The City is self-insured. The City shall provide a certificate of insurance in an amount of not less than Two million dollars (\$2,000,000).
2. The City agrees to defend and hold the District its agent and employees free, harmless and indemnified from and against any and all claims, suits or causes of actions arising from or in any way out of the performance of the duties of the SRO or the SRO Program except where there is intentional actions or gross negligence on behalf of the District.
3. The District is self-insured. The District shall provide a certificate of insurance in an amount of not less than Two million dollars (\$2,000,000).
4. The District agrees to defend and hold the City, its agent and employees, including the SRO, free, harmless and indemnified from and against any and all claims, suits or causes of actions arising from or in any way out of the performance of the duties of the District or any District Program, except where there is intentional actions or gross negligence on behalf of the SRO.

Evaluation - It is mutually agreed that the District shall evaluate annually the SRO Program and shall provide information concerning the performance of each SRO. It is further understood that the District's information is advisory only and that the City is the sole authority to evaluate the performance and take any employment actions concerning the SRO.

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

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

\_\_\_\_\_  
Jared M. Kraham  
City of Binghamton, Mayor

\_\_\_\_\_  
Dr. Tonia Thompson  
Binghamton City School District  
Superintendent of School



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH THE  
GREATER BINGHAMTON CHAMBER OF  
COMMERCE TO SUPPORT MARKETING,  
PROMOTIONS AND TOURISM IN THE CITY  
FOR THE YEARS 2024-2025

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with the Greater Binghamton Chamber of Commerce for use of American Rescue Plan Act (ARPA) funds to support marketing, promotions and tourism in the City of Binghamton in an amount not to exceed \$150,000.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with the Greater Binghamton Chamber of Commerce for use of ARPA funds to support marketing, travel, promotions and tourism in the City of Binghamton in an amount not to exceed \$150,000; and that funds shall be deducted from budget line A6989.54742.F0015 (Promotions/Marketing) for this purpose.

I HEREBY CERTIFY that the above described  
funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

**A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH THE  
BINGHAMTON LOCAL DEVELOPMENT  
CORPORATION FOR THE REHABILITATION  
OF 11 COURT STREET**

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with the Binghamton Local Development Corporation (BLDC) for use of Loss Revenue funds per the American Rescue Plan Act (ARPA) to support the rehabilitation of 11 Court Street in an amount not to exceed \$2,500,000.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with the BLDC for use of Loss Revenue funds per the ARPA to support the rehabilitation of 11 Court Street in an amount not to exceed \$2,500,000; and that funds shall be deducted from budget line A6989.54485 (BLDC Development) for this purpose.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO A PARKING AGREEMENT  
WITH THE BOSCOV'S DEPARTMENT STORE,  
LLC FOR PARKING AT THE WATER STREET  
PARKING GARAGE

WHEREAS, the City of Binghamton wishes to enter into Parking Agreement with the Boscov's Department Store, LLC for parking at the Water Street Parking Garage; and

WHEREAS, the Parking Agreement is a material condition of the Lease Agreement, which is also proposed to be extended for ten years, among Boscov's and the Binghamton Local Development Corporation (BLDC).

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized and directed to enter into a Parking Agreement, approved as to form and content by the Office of Corporation Counsel, with the Boscov's Department Store, LLC.



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
NYHART FOR GOVERNMENTAL  
ACCOUNTING STANDARD BOARD NO. 75  
ACTUARIAL SERVICES

WHEREAS, the City of Binghamton wishes to enter into agreement with NYHART for Governmental Accounting Standard Board (GASB) No. 75 actuarial services for Accounting and Financial Reporting for Post-Employment Benefits other than Pensions for fiscal years 2023 and 2024; and

WHEREAS, the proposal from NYHART has been determined to meet the City's need.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with NYHART for GASB No. 75 actuarial services for Accounting and Financial Reporting for Post-Employment Benefits other than Pensions for fiscal years 2023 and 2024.



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

Date: December 20, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
EXACT CAPITAL TO SUPPORT AN  
AFFORDABLE HOUSING REHABILITATION  
PROJECT

WHEREAS, pursuant to Permanent Ordinance 21-167, dated December 22, 2021, the Council of the City of Binghamton allocated American Rescue Plan Act (ARPA) funds for improvements at the Town and Country Apartments in the amount of \$3,000,000; and

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with the Exact Capital for use of funds to support an affordable housing rehabilitation project at Town and Country Apartments in an amount not to exceed \$3,000,000.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with Exact Capital for use of funds to support an affordable housing rehabilitation project at Town and Country Apartments in an amount not to exceed \$3,000,000 and that funds shall be deducted from budget line H8686.54756.F0015 (Affordable Housing ARPA) for this purpose.

I HEREBY CERTIFY that the above described  
funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller





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

Date: December 20, 2023

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

Introduced by Committee: Rules/Special Studies

**RESOLUTION**

*entitled*

**A RESOLUTION AUTHORIZING VISIONS  
FEDERAL CREDIT UNION AND SOCIAL ON  
STATE TO CONDUCT A FIREWORKS DISPLAY  
ON DECEMBER 31<sup>ST</sup> FOR NEW YEAR'S EVE  
2023/2024 AT MIDNIGHT**

WHEREAS, pursuant to the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405, it is necessary for the Council of the City of Binghamton to authorize any requested fireworks displays; and

WHEREAS, Mark Yonaty has requested to conduct a fireworks display at the Mirabito Stadium parking lot on New Year's Eve 2023/2024 at midnight for an event hosted by Visions Federal Credit Union (FCU) and Social on State.

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

RESOLVE that Mark Yonaty is hereby granted permission to hold a fireworks display at the Mirabito Stadium parking lot on New Year's Eve 2023/2024 at midnight for an event hosted by Visions FCU and Social on State; and be it further

RESOLVE that all displays are subject to approval by the Fire Marshall; and be it further

RESOLVE that Mark Yonaty will pay all applicable fees, and comply with all safety precautions, road closings, and other requirements and obligations a required by the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405.