



# Legislative Branch

RL Number:	_____
Date Submitted:	_____

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

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

### Applicant Presenting RL at Work Session

Tito Martinez Assistant Dir. of Planning 772-7028  
 (Print Name) (Title) (Phone number)

Signature:

Date: 1/3/24

### To Be Completed By Applicant

**Proposed Title:** Ordinance to amend Ch. 410 Zoning to address below-grade amenity spaces in multi-unit dwellings

**Executive Summary (Explain why legislation is necessary):** To clarify the existing legislation by being specific about the square footage allowed for each type of amenity space.

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

**RL related to previously adopted legislation:** Perm. number 02337, adoption date 03/01/2023

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

**Public Hearing required?** Yes  No

**SEQRA required?** Yes  No

**Additional information related to this RL attached?** Yes  No

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corp. Counsel:	
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

The purpose of this legislation is to prevent large, private, basement assembly spaces or “party rooms.” These spaces have been a problem from a public safety perspective, because there is no visibility into them from the street, they can be difficult to get out of in the case of an emergency, and there are no safety controls that you would typically have for a public assembly space, like a restaurant or bar. Those have a liquor license, periodic fire inspections, and other forms of accountability and regulation in place, whereas private assembly spaces for tenants of residential buildings have no real form of control of how many people enter the space, whether or not alcohol is being served, the age of people consuming the alcohol, etc. This particular amendment is meant to clarify the existing legislation by being specific about the square footage allowed for each type of amenity space.

#### **410-19. Accessory buildings and uses.**

##### **M. Residential Amenity and Assembly Spaces.**

When located in residential or mixed-use buildings as accessories to a residential use, amenity spaces including fitness centers, common kitchens, and computer rooms, and assembly spaces including lounges, theaters, and billiard rooms, shall be regulated as follows:

- 1) Congregate Living facilities, Multiple-Unit Dwellings, and properties containing more than 12 total bedrooms shall not contain any assembly spaces or other amenity spaces that are accessory to the residential use below grade, with the exception of structured parking, laundry facilities, and/or storage facilities. Any below-grade laundry or storage facilities shall be proportioned and constructed such that they do not allow an occupancy limit above 10 persons per partitioned space.
- 2) In Congregate Living facilities, Multiple-Unit Dwellings, and properties containing more than 12 total bedrooms, the occupancy limit of any above-grade residential amenity or assembly space shall not exceed 25 persons.
- 3) The occupant load factors for amenity spaces are as follows:
  - a) Above and/or below grade laundry rooms shall not exceed 15 square feet per person.
  - b) Above and/or below grade storage rooms shall not exceed 7 square feet per person.
  - c) Above grade amenity space shall not exceed 15 square feet per person.
- 4) Notwithstanding the above, the actual Occupancy Limit shall be determined by the Fire Marshal based on square footage, intended use and furnishings/equipment, not to exceed the limits above.



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### Applicant Presenting RL at Work Session

(Print Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone number) \_\_\_\_\_

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

### To Be Completed By Applicant

Proposed Title: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Executive Summary (Explain why legislation is necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

**RL related to previously adopted legislation:** Perm. number R23-12, adoption date 03/01/2023

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

**Public Hearing required?** Yes No      **SEQRA required?** Yes No

**Additional information related to this RL attached?** Yes No

OFFICE USE ONLY						
Mayor:	_____					
Comptroller:	_____					
Corp. Counsel:	_____					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>	



# Office of the City Clerk

Date Filed: _____
License No: FP2101

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**City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005**

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**OUTDOOR FIREWORKS & INDOOR PYROTECHNICS  
PERMIT APPLICATION**

Sponsoring Organization Information

Sponsoring Organization: Binghamton Rumble Ponies

Contact Person: Richard Tylicki

Address: 211 Henry Street, Binghamton, NY 13901 (Mirabito Stadium)

Phone (Home/Work/Cell): (607) 723-6387 and (607) 237-9899

Fireworks Company Information

Company Name: American Fireworks Display, LLC

Contact Person: Kevin Fritschler

Address: P.O.Box 980, Oxford, New York 13830

Phone (Home/Work/Cell): (607) 316-3011

On Site Supervisor(s)

Name: Richard Tylicki Date of Birth: 02/21/1969

Assistant: Craig Baker Date of Birth: 07/17/1980

Assistant: Eddie Saunders Date of Birth: 03/12/1992

Assistant: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Assistant: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

On the lines below please list all qualifications and/or past experience:

All three employees have multiple years of experience working in event management, and all have assisted in fireworks shows in the past

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# Office of the City Clerk

Date Filed:

License No:

**City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005**

## Display Information

Location of Proposed Display: Mirabito Stadium's Henry Street Parking Lot

Date(s) of Display: See attachment Time(s) of Display: 8:30pm-10pm

Type of Display: Indoor  Outdoor  Both

On the lines below please list all fireworks to be discharged under this permit. Please attach additional pages if necessary.

Shell Type: size and qty: 500-1" or smaller 200-2.5," 80-3," 160-4"

All aerial shells: UN0335 1.3G Display Fireworks

Type of storage prior to display: Approved HAZMAT box truck

## Required Attachments

### Section 1.

All applications require proof of an insurance certificate in the sum of \$2,000,000.00 for each incident, covering the City of Binghamton as an additional insured for the payment of all damages which may be caused by the reason the display so permitted.

Insurance certificate attached: Yes  No

### Section 2.

All applications require a diagram of the ground on which the fireworks displays will be held.

Diagram attached: Yes  No

I hereby attest that all displays shall meet all the provisions of NFPA 1126 and all provisions of §405.10-18 of the Penal Law of the State of New York. By signing this application, I acknowledge that I understand all the rules and regulations governing fireworks displays and that this display will be in accordance with these regulations.

Signature: Richard Tylicki Date: 01/23/24



# Office of the City Clerk

Date Filed:

License No:

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**City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005**

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**This Page Office Use Only**

Indoor Pyrotechnics Filing Fee Paid (\$10): Yes  No

Indoor Pyrotechnics Permit Fee Paid (\$150 per occasion/show/performance): Yes  No

Indoor Fire Apparatus Fee Paid, If Required (\$285 per occasion): Yes  No

Outdoor Fire Apparatus Fee Paid, If Required (\$285 per hour, one hour minimum): Yes  No

**Approval of Application**

Chief of Fire Bureau/Fire Marshal: Yes  No

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

Corporation Counsel: Yes  No

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

City Clerk: Yes  No

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

City Council: Yes  No

Permanent Resolution Number: \_\_\_\_\_ Adoption Date: \_\_\_\_\_



**PROUD DOUBLE-A AFFILIATE OF THE NEW YORK METS**



## 2024 Binghamton Rumble Ponies Fireworks Dates

Date	Game Time
Apr 5 Fri	(6:35PM)
May 17 Fri	(7:05PM)
May 27 Mon	(6:35PM)
May 31 Fri	(7:05PM)
June 13 Thur	(6:35PM)
June 14 Fri	(7:05PM)
June 28 Fri	(7:05PM)
July 3 Wed	(5:45PM)
July 19 Fri	(7:05PM)
Aug 2 Fri	(7:05PM)
Aug 16 Fri	(7:05PM)
Aug 23 Fri	(7:05PM)
Sep 2 Mon	(6:35PM)
Sep 6 Fri	(7:05PM)
Sep 8 Sun	(6:35PM)

**Mirabito**  
STADIUM

**211 HENRY STREET, BINGHAMTON, NY 13901**

**607.722.3866 | [WWW.BINGRP.COM](http://WWW.BINGRP.COM)**

SH-862 (3/22)  
DIVISION OF SAFETY HEALTH  
LICENSE AND CERTIFICATE UNIT  
STATE OFFICE CAMPUS, BLDG. 1  
ALBANY, NY 12226



Expires: 4/30/2024  
THIS LICENSE MUST BE  
POSTED IN YOUR PLACE  
OF BUSINESS  
License No. D-5171

## LICENSE TO DEAL IN OR MANUFACTURE EXPLOSIVES

American Fireworks Display, LLC  
PO Box 980  
Oxford, NY 13830  
Kevin Jon Fritschler

is hereby licensed to deal in or manufacture explosives in compliance with the requirements of the Labor Law and Industrial Code Rules. Any change in the conditions under which this license is granted may cause it to be revoked.

Every person selling, delivering or giving away any explosives must keep at the principal place of business within the state, a record of each transaction, including:

- 1) the NAME or TYPE and QUANTITY of explosives SOLD, DELIVERED or GIVEN. Note: No license is needed to purchase smokeless powder, or black powder and quantity is not exceeding five pounds for use in firing antique firearms or artifacts or replicas thereof. However, dealers MUST post all such transactions on the "Dealer-Manufacturer Report of Explosives Transactions".
- 2) the DATE OF EACH SALE, DELIVERY or GIFT.
- 3) the NAME, LICENSE NUMBER, and BUSINESS ADDRESS of the purchaser, donee, or person to whom the explosives were delivered and the firm, if any, represented by such person.
- 4) the NAME, ADDRESS, and LICENSE NUMBER of the person TAKING THE EXPLOSIVES AWAY from the seller or donor.

Amy Phillips, Director

FOR THE COMMISSIONER OF LABOR



In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License/Permit Number <b>6-NY-017-51-6G-00982</b>
Chief, Federal Explosives Licensing Center (FELC) <i>Mama Howard</i>	Expiration Date <b>July 1, 2026</b>

Name  
AMERICAN FIREWORKS DISPLAY LLC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)  
**1 NORTH CANAL STREET  
OXFORD, NY 13830-**

Type of License or Permit  
51-IMPORTER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

AMERICAN FIREWORKS DISPLAY LLC  
PO BOX 980  
OXFORD, NY 13830-

*Kevin J. Fritschler*  
Licensee/Permittee Responsible Person Signature  
**KEVIN J. FRITSCHLER**  
Printed Name

*OWNER SOCC MEMBER*  
Position/Title  
**7/11/23**  
Date

ATF Form 5400.14/5400.15 Part I  
Revised September 2011

Previous Edition is Obsolete AMERICAN FIREWORKS DISPLAY LLC; 1 NORTH CANAL STREET; 13830-6-NY-017-51-6G-00982; July 1, 2026; 51-IMPORTER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)  
244 Needy Road  
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352  
Fax Number: (304) 616-4401  
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

**Change of Address (27 CFR 555.54(a)(1)).** Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

**Right of Succession (27 CFR 555.59).** (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

**Federal Explosives License/Permit (FEL) Information Card**

License/Permit Name: **AMERICAN FIREWORKS DISPLAY LLC**

Business Name:

License Permit Number: **6-NY-017-51-6G-00982**

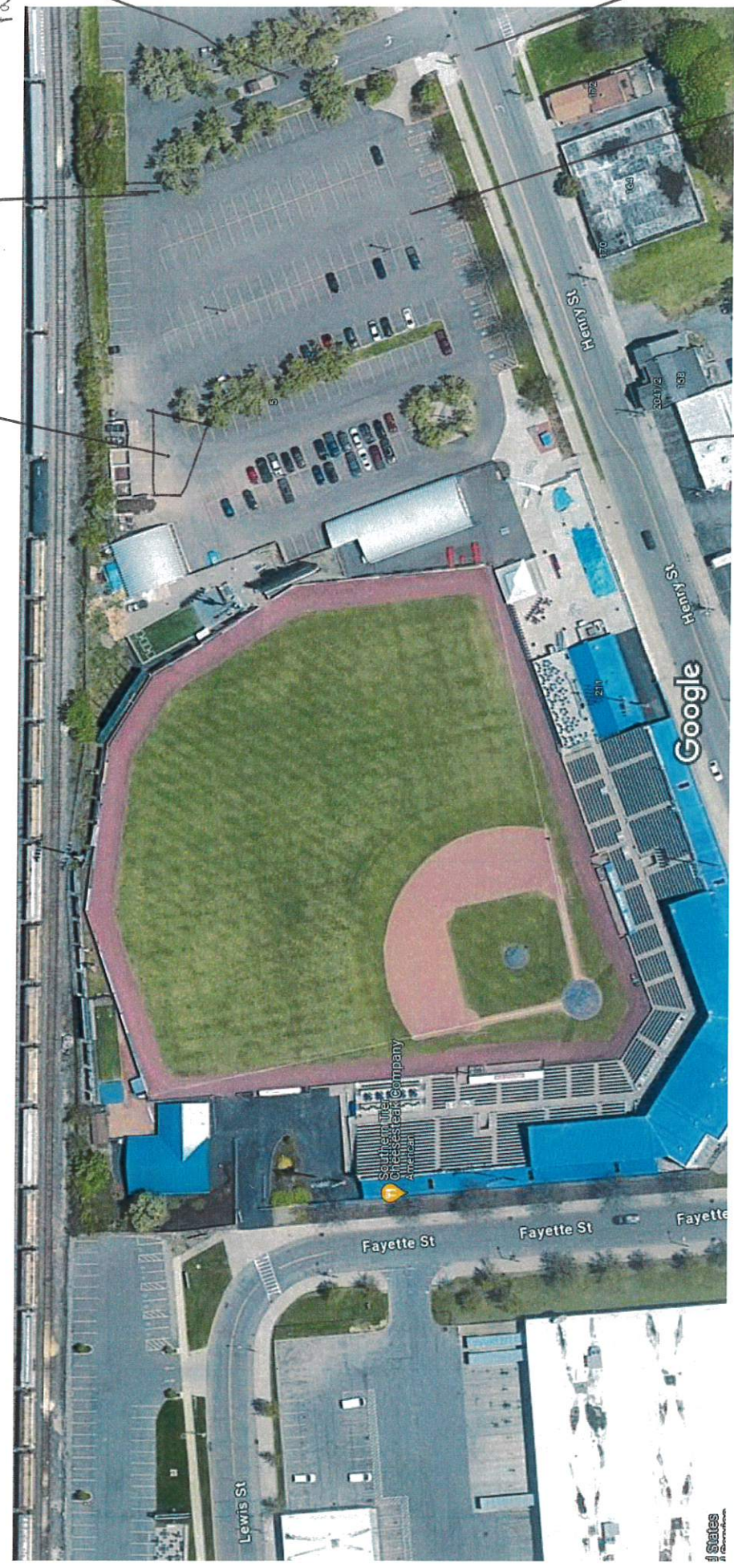
License/Permit Type: **51-IMPORTER OF EXPLOSIVES**

Expiration: **July 1, 2026**

Please Note: Not Valid for the Sale or Other Disposition of Explosives.



Fireworks, Donation  
Basin side  
Parking lot  
Attended



Auxiliary

Empty  
Parking  
Lot

Auxiliary

Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, New York GIS, Map data ©2024 Google 50 ft

Auxiliary  
corner of Fayette  
Henry streets



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### Applicant Presenting RL at Work Session

John Solak 607-722-8694  
 (Print Name) (Title) (Phone number)

Signature: *[Handwritten Signature]* Date: Jan 24, 2024

### To Be Completed By Applicant

Proposed Title: Police Choice Act

Executive Summary (Explain why legislation is necessary): Referendum to be forwarded to BOE by August 1, 2024 for placement on November ballot. Where as: Binghamton Police to be dissolved on Jan 1, 2025 with policing to be transferred to NYSP and Broome County Sheriff's Dept  
 Effective Date: (if applicable) \_\_\_\_\_

Budget transfer or amendment: RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

RL related to a grant: RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

RL related to previously adopted legislation: Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

Contract: Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

Public Hearing required? Yes  No  SEQRA required? Yes  No

Additional information related to this RL attached? Yes  No

OFFICE USE ONLY					
Mayor:	_____				
Comptroller:	_____				
Corp. Counsel:	_____				
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

Solakpersonal@gmail.com



# Legislative Branch

RL Number:	_____
Date Submitted:	_____

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### Applicant Presenting RL at Work Session

CHUCK SHAGER	COMPTROLLER	607-772-7011
(Print Name)	(Title)	(Phone number)

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

### To Be Completed By Applicant

**Proposed Title:** AMEND THE 2023 GENERAL FUND BUDGET FOR OVERBUDGET <sup>ITEMS</sup> ~~ITEMS~~ AT YEAR END

**Executive Summary** (Explain why legislation is necessary): SEE ATTACHED

To Amend 2023 General, WATER, SEWER, Refuse + Gift Funds to account for various over-budget lines

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet must be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet must be attached. Deadline for Council to act by: \_\_\_\_\_

**RL related to previously adopted legislation:** Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

Public Hearing required? Yes  No

SEQRA required? Yes  No

Additional information related to this RL attached? Yes  No

OFFICE USE ONLY						
Mayor:	_____					
Comptroller:	_____					
Corp. Counsel:	_____					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>	



# CITY OF BINGHAMTON

## Request for Transfer of Funds

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

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

Adopted Budget Year Amended: 2023 Department: FINANCE  
 Department Head Signature: \_\_\_\_\_

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

Revenue & Fund Balance Amendments			
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line Title
\$ 70,420.00	Increase	A5182.54202	STREET LIGHTS
\$ 39,251.00	Increase	A901.5.58000	POLICE/FIRE RETIREMENT
\$ 24,540.00	Increase	A9010.58000A	EMPLOYEE RETIREMENT
\$ 1,641.00	Increase	A6989.51000	PERSONAL SERVICES (ECON DEVL)
\$ 135,852.00	Increase	A.41110	SALES TAX

**Office Use Only for Transfers Under \$10,000**

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

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

Transfer of funds Approved \_\_\_ / Denied \_\_\_ on \_\_\_ / \_\_\_. Certified by the Secretary of the Board of Estimate and Apportionment: \_\_\_\_\_ Date: \_\_\_\_\_

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



# CITY OF BINGHAMTON

## Request for Transfer of Funds

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Adopted Budget Year Amended: 2023

Department: WATER/SEWER

Department Head Signature:

Transfer From (Decrease)		Transfer To (Increase)	
Amount	Budget Line	Amount	Budget Line
\$ 1,159.00	FX8330.54201 GAS/HEAT	\$ 1,159.00	FX9010.58000A RETIREMENT
\$ 900.00	G8120.54110 VEHICLE PARTS	\$ 900.00	G9010.58000A RETIREMENT
\$ 2,059.00		\$ 2,059.00	

Revenue & Fund Balance Amendments			
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line Title

Office Use Only for Transfers Under \$10,000

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

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

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

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

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

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

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

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



# CITY OF BINGHAMTON

## Request for Transfer of Funds

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Adopted Budget Year Amended: 2023

Department: REFUSE FUND

Department Head Signature: \_\_\_\_\_

Transfer From (Decrease)		Transfers		Transfer To (Increase)	
Amount	Budget Line	Budget Line Title	Amount	Budget Line	Budget Line Title
\$ 1,437.00	CL8160.54102	GEN OPER SUPPLIES	\$ 1,437.00	CL9010.58000A	RETIREMENT
\$ 1,437.00			\$ 1,437.00		

Revenue & Fund Balance Amendments			
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line Title

*Office Use Only for Transfers Under \$10,000*

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

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

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

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

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

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

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

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



# CITY OF BINGHAMTON

## Request for Transfer of Funds

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Adopted Budget Year Amended: 2023 Department: GOLF  
Department Head Signature: \_\_\_\_\_

Transfer From (Decrease)		Transfers		Transfer To (Increase)	
Amount	Budget Line	Amount	Budget Line	Budget Line Title	Budget Line Title
\$ 1,250.00	CR7180.50100	\$ 26.00	CR7180.50100	PRO SHOP MERCHANDISE (COGS)	
\$ 80.00	CR7180.54300	\$ 1,172.00	CR7180.54427A	GOLF OPS EXP	
\$ 340.00	CR7180.54421B	\$ 2,401.00	CR7180.54427B	GOLF MAINTENANCE LABOR EXP	
\$ 2,000.00	CR7180.54421C	\$ 1,810.00	CR7180.54427D	GOLF COURSE BENEFITS	
\$ 700.00	CR7180.54421D				
\$ 1,039.00	CR7180.54427A				
\$ 5,409.00		\$ 5,409.00			

Revenue & Fund Balance Amendments		
Amount	Increase/Decrease	Revenue/Expense / Fund Balance
		Budget Line
		Budget Line Title

Office Use Only for Transfers Under \$10,000

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

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

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

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





# Legislative Branch

RL Number: \_\_\_\_\_

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

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

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

### Applicant Presenting RL at Work Session

MEGAN HEIMAN

*Deputy Mayor*  
(Title)

607-772-7001

(Print Name)

(Phone number)

Signature: \_\_\_\_\_

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

### To Be Completed By Applicant

Proposed Title: *AN ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY - PRINCIPAL NOT TO EXCEED \$11,937,500*

Executive Summary (Explain why legislation is necessary): Bond Ordinance for the City of Binghamton

SEE ATTACHED

Effective Date: (if applicable) \_\_\_\_\_

Budget transfer or amendment: RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

RL related to a grant: RL Grant Worksheet **must** be attached. Deadline for Council to act by: \_\_\_\_\_

RL related to previously adopted legislation: Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

Contract: Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

Public Hearing required? Yes  No

SEQRA required? Yes  No

Additional information related to this RL attached? Yes  No

### OFFICE USE ONLY

Mayor: \_\_\_\_\_

*Jared M. Kraham*

Comptroller: \_\_\_\_\_

Corp. Counsel: \_\_\_\_\_

Finance

Planning

MPA

PW/Parks

Employees

Rules/Special Studies

# HAWKINS

HAWKINS DELAFIELD & WOOD LLP  
7 WORLD TRADE CENTER, 250 GREENWICH STREET, NEW YORK, NEW YORK 10007  
(212) 820-9300 | HAWKINS.COM

(212) 820-9620

January 17, 2024

City of Binghamton, New York  
\$11,937,500 Bond Ordinance for Various Purposes  
(Our File Designation: 5040/ )

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

Dear Chuck:

Pursuant to your request, I have prepared and now send to you a draft of the Extract of Minutes of the Council meeting to be held February 7, 2024 showing adoption of the above bond ordinance and providing for publication of such ordinance, *in summary*. ***The bond ordinance requires at least a two-thirds vote of the full Council for adoption, without taking into consideration any temporary absences or vacancies.***

A summary of the bond ordinance with the prescribed form of Clerk's statutory notice affixed in readiness for publication in the official City newspaper is also included. As you know, publication of the bond ordinance, in summary, commences a 20-day statute of limitations period pursuant to the provisions of Section 80.00 *et seq.* of the Local Finance Law. **The publication of the legal notice should be made as soon as possible following adoption of the ordinance by the Council.**

**We understand from you that the necessary SEQRA review for the projects has been or will be completed prior to the adoption of this ordinance.**

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

With best regards, I am

Very truly yours,



William J. Jackson

WJJ/ml  
Enclosures

EXTRACT OF MINUTES

Meeting of the Council of the City of Binghamton,

in the County of Broome, New York

February 7, 2024

\* \* \*

A regular meeting of the Council of the City of Binghamton, in the County of Broome, New York, was held at the City Hall, Binghamton, New York, on February 7, 2024.

There were present:

Councilpersons:

There were absent:

Also present: Sarah Dinhofer, City Clerk

\* \* \*

\_\_\_\_\_ offered the following ordinance and moved its adoption:



Legal Counsel Approval \_\_\_\_\_

Introductory No. \_\_\_\_\_

RL15-145

Permanent No. \_\_\_\_\_

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

Date: February 7, 2024

Sponsored by Council Members: \_\_\_\_\_

Introduced by Committee: Finance

**ORDINANCE**

*Entitled*

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 7, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,937,500 TO FINANCE VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,937,500, AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

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

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

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct, acquire or undertake the various projects as described in Column A of said Schedule I, attached hereto and made a part hereof, at the estimated

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

Date: February 7, 2024

maximum costs indicated in Column B of said Schedule I. The estimated total cost of such projects, including preliminary costs and costs incidental thereto and the financing thereof, is \$11,937,500 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. \_\_\_\_\_. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$11,937,500 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Debt service on the obligations herein authorized is expected to be paid from the respective funds of the City set forth in Column D of said Schedule I.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$11,937,500 are hereby authorized to be issued in the principal amounts indicated in Column C of said Schedule I for each of the respective objects or purposes indicated in Column A of said Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation referred to herein.

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

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all

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

Date: February 7, 2024

the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice

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

Date: February 7, 2024

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

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

Date: February 7, 2024

Introductory No. \_\_\_\_\_

Permanent No. \_\_\_\_\_

Sponsored by City Council Members:  
\_\_\_\_\_

**BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 7, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,937,500 TO FINANCE VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,937,500, AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE**

	Ayes	Nays	Abstain	Absent
Total				

Code of the City of Binghamton

Adopted     Defeated

\_\_\_ Ayes \_\_\_ Nays \_\_\_ Abstain \_\_\_ Absent

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date Presented to Mayor

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Mayor

The ordinance was declared adopted.

\*\*\*\*\*



**Schedule I**

**2024 Capital Improvement Plan**

A	B	C	D	E	F	G
Project Description (Object or Purpose)	Estimated Maximum Cost	Amount of Bonds Authorized	Fund	Grant Funding Expected to be Received	Period of Probable Usefulness	PPU Section 11.00a. Reference
A. Fire Ladder Truck	\$2,300,000	\$2,300,000	General	\$ 0	20	27
B. Fire Pumper Truck	850,000	850,000	General	250,000	20	27
C. Murray to Crary Interceptor Sewer Study	100,000	100,000	Sewer	0	5	35/62
D. 6 <sup>th</sup> Ward Interceptor	250,000	250,000	Sewer	0	40	4
E. Court and Tompkins Pump Station Rehab	1,500,000	1,500,000	Water	0	40	1
F. Ross Park Carousel Improvements	1,400,000	1,400,000	General	0	15	19(c)
G. Ross Park Improvements (Grant Match)	187,500	187,500	General	0	15	19(c)
H. Two Dump Trucks with Plow	450,000	450,000	General	0	15	28
I. Building Improvements to Parks Garage	200,000	200,000	General	0	15	12(a)(2)
J. Court Resurfacing	200,000	200,000	General	0	15	19(c)
K. Sewer Lines Improvements	1,500,000	1,500,000	Sewer	0	40	4
L. Water Lines Improvements	2,500,000	2,500,000	Water	0	40	1
M. Floodwall Levee reconstruction	200,000	200,000	General	0	5	35
N. Engineering Design Projects	<u>300,000</u>	<u>300,000</u>	General	<u>0</u>	5	62
Totals:	<b><u>\$11,937,500</u></b>	<b><u>\$11,937,500</u></b>		<b><u>\$250,000.00</u></b>		

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

Date: February 7, 2024

CERTIFICATE

I, SARAH DINHOFER, City Clerk of the City of Binghamton, in the County of Broome, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Council of said City of Binghamton duly called and held on February 7, 2024, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Council and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract. Such ordinance was approved in writing by the Mayor of the City on \_\_\_\_\_, 2024 and by the Board of Estimate and Apportionment of the City on \_\_\_\_\_, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Binghamton this \_\_\_\_ day of \_\_\_\_\_, 2024.

(SEAL)

\_\_\_\_\_  
City Clerk

## LEGAL NOTICE

The ordinance, a summary of which is published herewith, has been adopted by the Council of the City of Binghamton on February 7, 2024. Such ordinance was approved in writing by the Mayor of the City on \_\_\_\_\_, 2024 and by the Board of Estimate and Apportionment of the City on \_\_\_\_\_, 2024.

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

DATE: February 7, 2024

SARAH DINHOFER  
City Clerk, City of Binghamton, New York

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK,  
ADOPTED FEBRUARY 7, 2024, AUTHORIZING THE ISSUANCE OF  
BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,937,500 TO  
FINANCE VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE  
CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
\$11,937,500, AND APPROPRIATING SAID AMOUNT FOR SUCH  
PURPOSE

The objects or purposes for which the bonds are authorized is to finance various capital improvements in and for the City of Binghamton, as further described in the City's 2024 Capital Improvement Plan, at the estimated total cost of \$11,937,500.

The total amount of obligations authorized to be issued is not to exceed \$11,937,500.

The periods of probable usefulness for the objects or purposes authorized by this bond ordinance are various periods ranging from 5 to 40 years.

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

Dated: February 7, 2024  
Binghamton, New York

**ESTOPPEL CERTIFICATE**

I, Sarah Dinhofer, City Clerk of the City of Binghamton, in the County of Broome, New York (the “City”), HEREBY CERTIFY as follows:

That an ordinance of the City Council of said City entitled:

“BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 7, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,937,500 TO FINANCE VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,937,500, AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,”

was adopted on February 7, 2024 and was approved in writing by the Mayor of the City on \_\_\_\_\_, 2024 and by the Board of Estimate and Apportionment of the City on \_\_\_\_\_, 2024. Such ordinance contained an estoppel clause as permitted by Section 80.00 of the Local Finance Law and a notice setting forth substantially the statements referred to in Section 81.00 of the Local Finance Law, together with a summary of such ordinance, was duly published as referred to in said Section 81.00 of the Local Finance Law.

That to the best of my knowledge, no action, suit or proceeding contesting the validity of the obligations authorized by such ordinance was commenced within twenty days from the date of publication of such notice.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2024.

---

Sarah Dinhofer, City Clerk  
City of Binghamton