



# 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

February 26, 2024

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

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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 28, 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 28, 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 28, 2024 .

There were present:

Councilpersons:

There were absent:

Also present: Sarah Dinhofer, City Clerk

\* \* \*

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



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

Date: February 28, 2024

Sponsored by Council Members: Cavanaugh, Hotchkiss, Middleton

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,937,500, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE CITY IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$11,937,500 TO FINANCE SAID APPROPRIATION

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 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. 24-06 . The plan of financing includes the issuance of bonds of the City in the principal amount 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 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 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

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.

**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>		

Introductory No. 024-06

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

Sponsored by City Council Members:  
Cavanaugh, Hotchkiss, Middleton

AN ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,937,500, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE CITY IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$11,937,500 TO FINANCE SAID APPROPRIATION

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

\_\_\_\_\_  
Date

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

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

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

\_\_\_\_\_  
Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Dundon				
<b>Total</b>				

Code of the City of Binghamton

Adopted       Defeated

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

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on \_\_\_\_\_. Approved by the Mayor on \_\_\_\_\_.



**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 28, 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 28, 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 28, 2024

SARAH DINHOFER  
City Clerk, City of Binghamton, New York

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK,  
ADOPTED FEBRUARY 28, 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 28, 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 28, 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 28, 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.

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Sarah Dinhofer, City Clerk  
City of Binghamton

**State Environmental Quality Review  
Determination of Type II Actions and  
Notice of Determination of Non-Significance**

**Project Number:** None

**Date:** February 28, 2024

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

**Nature of Action:** An ordinance authorizing the issuance of \$11,937,500 of bonds to finance 2024 capital projects. The projects are: engineering studies of localized flooding, sanitary sewer lines, and other engineering projects; the repair of municipal facilities including a pump station, garage, public carousel, and recreational courts; the repair of infrastructure including sewer lines, water lines, and a levee; the creation of a public recreational trail; and the purchase of fire trucks and dump trucks.

**Findings:** The City of Binghamton City Council has determined that the above listed projects have all either already concluded SEQR or are Type II actions in accordance with NYCRR § 617.5(c) as they involve the following: (1) maintenance or repair involving no substantial changes in an existing structure or facility; (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site including upgrading buildings to meet building, energy, or fire codes; (6) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities; (24) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action; and (31) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials. Therefore, no further environmental review is required.

**For Further Information**

Contact Person: Hadassah Mativetsky, President  
City of Binghamton City Council

Address: City Hall  
38 Hawley Street  
Binghamton, NY 13901

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



# 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 J. Heiman Deputy Mayor (607) 772-7001  
 (Print Name) (Title) (Phone number)

Signature: Megan J. Heiman Date: 1/2/24  
**To Be Completed By Applicant**

**Proposed Title:** A Resolution to accept a grant not to exceed \$250,000 from the Community Resiliency, Economic Sustainability, and Technology (CREST) capital grant program for a pumper fire truck

**Executive Summary (Explain why legislation is necessary):** Please see attached. The grant money will help fund a pumper fire truck for the Binghamton Fire Department.

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 \$613,759.31 Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

Public Hearing required? Yes  No  SEQRA required? Yes  No

Additional information related to this RL attached? Yes  No

<b>OFFICE USE ONLY</b>	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corp. Counsel:	<u>[Signature]</u>
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"/>



# Legislative Branch

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

## GRANT APPLICATION WORKSHEET

*The Request for Legislation must include the project title and the purpose of the grant.  
Please provide the following additional information.*

Agency providing the grant: Dormitory Authority of the State of New York (DASNY)

Total project cost: \$613,759.31

Total amount of grant: \$250,000

Local match (if any): \_\_\_\_\_

If local match is monetary, provide the budget line and title: Bond - Budget line TBD

If local match is "in kind", provide the anticipated personnel and hours to be dedicated to the project:

Disbursement of grant (upfront, reimbursable?): \_\_\_\_\_

Grant Budget Line: H.43089

Grant project manager: Chief Al Gardiner

Anticipated date of project completion: 2024

Special project completion requirements (if any): \_\_\_\_\_

**Attach any required form of Resolution from the Agency providing the grant.**

Please provide any additional information in the space provided below, including any other government agency or private partner participating in the grant, along with a description of such participation:

Please see attached award letter.

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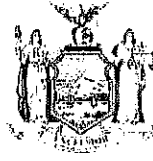
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District Office  
1607 State Office Building  
41 Hawley St  
Binghamton, NY 13901  
1607) 773-8771  
FAX 1607) 774-3688

Albany Office  
848 Legislative Office Building  
Albany, NY 12247  
(518) 455-2170  
FAX (518) 426-6787

Email:  
leawebb@nysenate.gov

THE SENATE  
STATE OF NEW YORK



SENATOR  
**LEA WEBB**  
52<sup>ND</sup> DISTRICT

CHAIR  
WOMEN'S ISSUES  
COMMITTEES  
AGRICULTURE  
CITIES 2  
HEALTH  
HIGHER EDUCATION  
MENTAL HEALTH  
PROCUREMENT AND CONTRACTS

November 6, 2023

Binghamton City Hall  
38 Hawley Street  
Binghamton, NY 13901

Dear Chief Gardiner,

It is my pleasure to inform you that I will be nominating the City of Binghamton Fire Department to receive \$250,000 for a new pumper fire truck through the Community Resiliency, Economic Sustainability, and Technology (CREST) capital grant program. I am thrilled to support this worthy investment!

Please be advised that the Governor's Division of Budget office (DOB), Dormitory Authority of the State of New York (DASNY), and other state agencies will still need to review and consent to this grant.

In order for DASNY to begin processing the grant, you must complete the Senate Preliminary Application, which has been electronically transmitted to you, in its entirety and return it to my Albany Office as soon as possible. Your grant will not become activated until this initial application is reviewed by my office as well as the Senate Finance Office and formally transmitted by them to DASNY. Once that occurs, DASNY will send you additional paperwork to be completed and returned to DASNY to move the grant forward. We strongly advise against expending any funds toward this project until you receive an executed contract or Grant Disbursement Agreement (GDA) from DASNY.

Please keep me informed of your progress on it as you move forward. In the meantime, if you have any questions regarding this funding, please do not hesitate to contact my Deputy Legislative Director Abby Melendez regarding this grant at (518) 455-3171 or [amelende@nysenate.gov](mailto:amelende@nysenate.gov).

Sincerely,

A handwritten signature in cursive script that reads "Lea Webb".

Senator Lea Webb  
52nd Senate District



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

Date: February 28, 2024

Sponsored by Council Members: Cavanaugh, Hotchkiss, Dundon, Mativetsky

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ACCEPT A GRANT FROM THE  
COMMUNITY RESILIENCY, ECONOMIC  
SUSTAINABILITY, AND TECHNOLOGY  
CAPITAL GRANT PROGRAM IN THE AMOUNT  
OF \$250,000 FOR THE PURCHASE OF A  
PUMPER FIRE TRUCK

WHEREAS, the City is eligible to receive a \$250,000 grant from the Community Resiliency, Economic Sustainability, and Technology (CREST) Capital Grant Program to fund the purchase of a new pumper fire truck in the amount of \$250,000; and

WHEREAS, the Council wishes to authorize the City to accept said grant.

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

RESOLVE that the Council hereby authorizes the Mayor to accept a grant from the (CREST) Capital Grant Program in the amount of \$250,000 to fund the purchase of a new pumper fire truck; and it is further

RESOLVED that the Mayor, or his designee, is hereby authorized to enter into and execute an agreement and such other documents as may be necessary or proper, approved as to form and content by the Office of Corporation Counsel, with the (CREST) Capital Grant Program and to expend said grant funds in accordance with such agreement; and it is further

RESOLVED that once accepted the \$250,000 grant will go toward payment as outlined in Schedule I, Section B of Permanent Ordinance 24-06.









# 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: \_\_\_\_\_









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

Date: February 28, 2024

Sponsored by Council Members: Cavanaugh, Middleton, Porter, Mativetsky

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023  
GENERAL, WATER/SEWER, REFUSE, AND  
GOLF FUND BUDGETS 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, Water/Sewer, Refuse, and Golf Fund budgets to account for various over-budget line items at year-end; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on February 28, 2024.

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 as follows:

- (i) \$70,420.00 increase expense budget line A5182.54202 (STREET LIGHTS)
- (ii) \$39,251.00 increase expense budget line A9015.58000 (POLICE/FIRE RETIREMENT)
- (iii) \$24,540.00 increase expense budget line A9010.58000A (EMPLOYEE RETIREMENT)
- (iv) \$1,641.00 increase expense budget line A6986.51000 (PERSONAL SERVICES, ECON DEVL.)
- (v) \$135,852.00 increase revenue budget line A41110 (SALES TAX)

Section 2. That the Comptroller of the City of Binghamton are hereby authorized and directed to amend the 2023 Water/Sewer budget for various over-budget line items at year-end as follows:

Transfer From (Decrease):

Transfer To (Increase):

\$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

Section 3. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Refuse Fund budget for various over-budget line items at year-end as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$1,437.00 CL8160.54102 (GEN OPER SUPPL)	\$1,437.00 CL9010.58000A (RETIREMENT)
<hr/>	
\$1,437.00	\$1,437.00

Section 4. 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 items at year-end as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$1,250.00 CR7180.50105 (COGS- FOOD AND BEV)	\$26.00 CR7180.50100 (PRO SHOP MERCH COGS)
\$80.00 CR7180.54300 (INSURANCE)	\$1,172.00 CR7180.54421A (GOLF OPS EXP)
\$340.00 CR7180.54421C (GEN AND ADMIN EXP)	\$2,401.00 CR7180.54427B (GOLF MAINT. LABOR EXP)
\$2,000 CR7180.54421C (GOLF COURSE MAINT. EXP)	\$1,810.00 CR7180.54427.D (GOLF COURSE BENEFITS)
\$700.00 CR7180.54421D (FOOD AND BEV EXP)	
\$1,039.00 CR7180.54427A (GOLF OPERATION LABOR EXP)	
<hr/>	
\$5,409.00	\$5,409.00

Section 5. That this Ordinance shall take effect immediately.

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

---

Chuck Shager, Comptroller



Introductory No. 024-09

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

Sponsored by City Council Members:  
Cavanaugh, Middleton, Porter, Mativetsky

AN ORDINANCE TO AMEND THE 2023  
GENERAL, WATER/SEWER/, REFUSE, AND  
GOLF FUND BUDGET FOR VARIOUS OVER-  
BUDGET LINE ITEMS AT YEAR-END

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

\_\_\_\_\_  
Date

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

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

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

\_\_\_\_\_  
Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Dundon				
<b>Total</b>				

Code of the City of Binghamton

Adopted       Defeated

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

I hereby certify the above to be a true  
copy of the legislation adopted by the  
Council of the City of Binghamton at a  
meeting held on \_\_\_\_\_. Approved  
by the Mayor on \_\_\_\_\_.



# 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

(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"/>	



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

Dated: February 28, 2024

Sponsored by Councilmember(s): Middleton, Cavanaugh, Porter, Mativetsky

Introduced by Committee(s) on: Municipal and Public Affairs

**RESOLUTION  
*entitled***

A RESOLUTION AUTHORIZING THE RUMBLE  
PONIES TO CONDUCT FIREWORKS DISPLAYS IN  
2024

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, the Binghamton Rumble Ponies have requested to conduct fireworks displays at Mirabito Stadium on the various dates listed in the attached schedule.

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

RESOLVE that the Binghamton Rumble Ponies are hereby granted permission to hold fireworks displays on the various dates listed in the attached schedule; and be it further

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

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



**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)

**RESOLUTION**

Intro. No R24-12

Perm No. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE RUMBLE  
PONIES TO CONDUCT FIREWORKS DISPLAYS IN  
2024**

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

Sponsored by: Middleton, Cavanaugh, Porter, Mativetsky

\_\_\_\_\_  
Date

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

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

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

\_\_\_\_\_  
Mayor

	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Dundon				
<b>Total</b>				

Code of the City of Binghamton

Adopted       Defeated

\_\_\_\_\_ Ayes    \_\_\_\_\_ Nays    \_\_\_\_\_ Abstained    \_\_\_\_\_ Absent



Legal Counsel Approval BMA

RL 23-172

Introductory No. R23-66

Permanent No. R23-65



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

Date: August 9, 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  
FISHER ASSOCIATES**

WHEREAS, the Mayor of the City of Binghamton wishes to enter into a professional services agreement with Fisher Associates for Phase I of US DOT RTP award #219204, in an amount not to exceed \$250,000; and

WHEREAS, the funding is needed for completing the Ross Park Recreational Trails preliminary design report.

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 Fisher Associates for use of Phase I of US DOT RTP award #219204, in an amount not to exceed \$250,000; and that funds shall be deducted from budget line H7180.555555.PK017 (Ross Park – Trails Program) for this purpose.

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

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

Introductory No. R23-66

Permanent No. R23-66

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

A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO AN AGREEMENT WITH FISHER  
ASSOCIATES

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

Date 8/9/23  
City Clerk Jessica Faulkner

Date Presented to Mayor 8/10/23

Date Approved 8/10/23  
Mayor J. M. Tol

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley				✓
Councilwoman Friedman				✓
Councilman Burns				✓
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilman Scaringi	✓			
<b>Total</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>3</b>

Code of the City of Binghamton

Adopted  Defeated

4 Ayes 0 Nays 0 Abstain 3 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 8/9/23. Approved by the Mayor on 8/10/23. (S)





Transportation  
Land Development  
Energy

January 16, 2024

Mr. Patrick McGinnis  
Commissioner of Parks & Recreation  
City of Binghamton  
38 Hawley Street  
Binghamton, New York 13901

**Ross Park Trails Improvement Project– Supplemental Agreement No. 1  
Additional Design Services – Survey/Mapping, Environmental Screenings and Cultural  
Resources**

Dear Mr. McGinnis,

Fisher Associates, P.E., L.S., L.A., D.P.C. (Fisher) is requesting additional compensation to provide additional services for survey and mapping, environmental screenings, and cultural resources Phase IA and Phase IB investigations for a portion of the selected trail alignment which is outside of the original trail corridor. This new alignment was developed with coordination and input from the City. It will eliminate one (1) pedestrian bridge and has less points of conflict with existing Zoo facilities.

The areas included in this supplemental request are shown on Attachments A - Additional Survey Extent and Attachment B – Additional Tree Survey Extent.

**Task 1 – Planimetric and Topographic Survey and Mapping**

Fisher will perform additional topographic and planimetric survey for a maximum of ten (10) acres where higher accuracy contouring is required for the design of a trail alignment and access drive relocation off of Morgan Road as shown in Attachment A.

Deliverables will include:

- A 3D MicroStation file (.dgn) containing the planimetrics and contours depicted at 1.0' intervals.
- An InRoads (.dtm) file containing the surface.
- An .xml file containing the surface.

**Task 1 Assumptions:**

1. Contours will be depicted at one foot intervals.
2. Elevations shown will be on North American Vertical Datum 1988 (NAVD88).
3. It should be noted that delays in topographic surveys may be encountered during Winter months. Significant snow cover presents difficulties in accurately depicting

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topographic ground features. Client will be notified if delays occur due to significant snow cover.

4. The horizontal survey datum shall be referenced to the New York State Plane Coordinate System, Central Zone, NAD 83 (2011) Epoch 2010.00 using GPS and conventional surveying methods.
5. Research for potential utility easements is not included in this scope of services.
6. Boundary survey is not included in this scope of services.
7. The preparation of a control report is not included in this scope of services.
8. Field surveyors shall locate overhead and underground utility services that are visible at the time of survey.
9. The use of a Subsurface Utility Engineer (SUE) to detect and designate underground utility services is not included in this scope of services but can be added, if necessary, for an additional negotiated fee.
10. It is assumed that Fisher will not need an escort to perform fieldwork.
11. Field operations will not be performed during periods of inclement weather such as severe thunderstorms, rain and/or snow and ice events. The client will be notified immediately if delays are expected.
12. Field personnel will not be required to be paid Prevailing Wage Rates as published by the NYSDOL.
13. The time and materials needed for acquiring the appropriate Town and County Subdivision approvals and/or the filing of any maps/deeds with the Broome County Clerk's office is not included in this scope of services.
14. Record utility plans will be requested through "UDIG New York". It should be understood that these requests will only result in obtaining record utility information within the public rights of way of adjoining streets.
15. Prior to commencement of any field work, participating property owners shall be notified by the client to authorize/permit access to perform surveying tasks. Non-participating properties and "keep offs" will be clearly identified by the client.
16. Field surveyors will adhere to project health & safety requirements, access (ingress/egress) requirements, etc
17. Operational expenses including company vehicle mileage, overnight travel, per diem, printing, mailing, etc. are included in the estimates.

## **Task 2 - Environmental**

### Task 2A: Wetland and Watercourse Field Delineation & Tree Survey

The delineation effort will be conducted by Fisher wetland scientist(s) and conducted in accordance with the U.S. Army Corps of Engineers (USACE) 1987 Wetlands Delineation Manual, the January 2012 Northcentral and Northeast Regional Supplement to the USACE Manual and the 1995 New York State Department of Environmental Conservation (NYSDEC) Freshwater Wetland Delineation Manual.

Fisher's wetland field personnel will delineate and flag, with pink "Wetland Delineation" survey ribbon or flags, potentially jurisdictional wetlands and watercourses within the determined



Additional Project Study Limits (PSL). Coordinates of the flagged wetland and watercourse boundary points will be surveyed using a sub meter accuracy Global Positioning System (GPS) unit and plotted on Wetland Delineation Maps.

It should be noted that wetland delineations are weather dependent. Delineations cannot be conducted if snow cover is present, or the ground is frozen at the time of survey. The USACE requires that delineations be conducted within the active growing season for the landscape, typically April through October.

A field tree survey will be conducted of the Additional project Study Limits and previously delineated Project Study Limits for the project. Tree locations will be recorded using a hand held GPS unit, species will be noted, condition of the tree and approximate height.

Task 2A Assumptions:

1. The client will provide access to all properties requiring investigation.
2. Additional Project Study Limits to be delineated for wetlands and streams are approximately 4.83-acres. The combined Additional Project Study Limits and original Project Study Limits to be reviewed for the Tree Survey are approximately 16-acres.
3. No alternative areas are included in this cost. Additional areas can be included for an additional fee.
4. Field work is anticipated to take a two-person crew no more than three (3) days for the wetland and watercourse and tree survey field work combined.

#### Task 2B: Wetland and Watercourse Delineation Report

Upon completion of the wetland and watercourse field efforts, Fisher will issue a supplemental wetland and watercourse delineation report in accordance with applicable USACE and NYSDEC requirements.

The report will include a narrative describing site methodology employed, site ecology, wetland characteristics, and rationale for determination of boundaries within the transmission line study area. The report will also include the following supporting documentation: wetland and watercourse data forms, wetland and watercourse summary tables, photographic logs, soils mapping, and delineation mapping. Electronic files representing the delineated boundaries of wetlands and watercourses will also be available upon request.

Task 2B Assumption:

1. Assumes one (1) round of client review and comment resolution prior to finalizing the report for submittal.

#### Task 2C: Tree Survey Report

Upon completion of the tree survey field efforts, Fisher will issue a Tree Survey Report summarizing the results of the survey. This will include a PDF map showing the location of the

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trees mapped, a text report summarizing the methodology and results, and a table displaying the information collected per tree. Electronic files representing the delineated trees will also be available upon request.

Task 2C Assumption:

1. Assumes one (1) round of client review and comment resolution prior to finalizing the report for submittal.

### **Task 3 - Cultural Resources Review**

Binghamton University Public Archaeological Facility will expand their limits of study for the revised trail alignment for proposed trail improvements in the City of Binghamton, Broome County, New York. Approximately 1000-1100 feet of a revised trail alignment is located on slope less than 12%; the remaining footage is located in wetlands, steep slope, or asphalt pavement. Our scope of services will include the following specific tasks:

#### **Phase 1A Archaeological Assessment:**

##### Literature Review:

A literature review was completed following the initial archaeological survey. No additional research will be conducted.

#### **Phase 1B Archaeological Survey:**

##### Field Investigations:

We propose to complete an archaeological survey with subsurface testing using shovel test pits (STPs) along the revised trail alignment which requires archaeological testing. The subsurface testing would include approximately 20-25 STPs excavated at 15 m (49 ft) intervals along the 1000-1100 ft that require testing. The soil from each STP will be screened through 1/4 inch mesh onto plastic to more accurately recover artifacts. Pits will be immediately backfilled after screening. Accurate maps will be kept of each STP location and areas of artifact concentration, if any are found.

This field methodology collects the information required by state reviewing agencies. The methods outlined in this proposal meet standards for the New York state standards (NYAC Standards: March 1994) and the guidelines of the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP: May 2005).

##### Laboratory Processing:

All artifacts recovered will be washed, inventoried, and catalogued according to standard practices for state reviewed projects (NYAC Standards; March 1994). Artifacts become the property of Binghamton University for the purpose of proper curation and research unless similar arrangements are made prior to the start of survey.

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### Summary Report

At the conclusion of the additional Phase 1A/1B archaeological testing, we will modify the original report from December 2023. The report will summarize the results of all archaeological testing to date. If sites are found, we will include recommendations for avoiding impacts to the sites. If impacts cannot be avoided, we will recommend further work in consultation with SHPO. We will produce a final report (1 pdf copy; hard copies if requested) that will need to be uploaded to CRIS for SHPO review. Please add us as an additional contact if you would like us to upload the report for you. This report will comply with all Federal and State Standards.

### **Task 4 – Roadway/Trail Design – Morgan Road Entrance**

Fisher will perform preliminary design for the relocation of the Morgan Road entrance, approximately 270' west of the existing Morgan Road entrance. The new entrance will serve entering and exiting vehicles. The existing entrance will be closed. Preliminary design will provide options for parking lot reconfiguration. The design will consider the location of the proposed trail, relocation of the bus stop and rerouting of the traffic circulation within the park.

Deliverables will include:

- Plan and profile for the entrance.

### **Task 4 -Assumptions:**

- East bound Morgan Road will provide a right hand turn lane consistent with the existing entrance.
- Drainage layout will be preliminary in nature.
- The existing Morgan Road entrance will be removed to the full extent possible.
- If the City chooses to relocate the Morgan Road entrance a supplemental agreement will be submitted for final design services.

### **Compensation:**

Task	Task Name	Estimated Total
1	Topographic and Planimetric Survey and Mapping	\$48,600
2A	Wetland and Watercourse Delineations	\$11,000
2B	Wetland and Watercourse Report	\$4,500
2C	Tree Survey	\$5,200
3	Cultural Resources	\$2,797
4	Morgan Road Entrance Preliminary Design	\$13,500
	<b>Total</b>	<b>\$85,497</b>

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The terms and conditions of the original agreement will remain in effect for this supplemental agreement.

This supplemental agreement may be accepted by signing in the appropriate space on page 2 of this proposal and returning one copy to us. If you have any questions, please contact Joseph Bayer at (570) 396-6726 or [jbayer@fisherassoc.com](mailto:jbayer@fisherassoc.com).

Sincerely,  
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

Emily M. Smith, PE  
Vice President  
Director of Transportation

Cc: Dr. Juliet Berling, Director, Planning, Zoning & Historic Preservation Department,  
City of Binghamton

Attachments: Additional Survey Extent  
Additional Tree Survey Extent



**Acceptance:**

This supplemental agreement for the Ross Park Trails Improvement Project, is hereby accepted and executed by a duly authorized signatory, who by execution hereof, warrants that he/she has full authority to act for, in the name, and on behalf of:

City of Binghamton  
38 Hawley Street  
Binghamton, New York

**Contract Amount: \$85,497.00**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

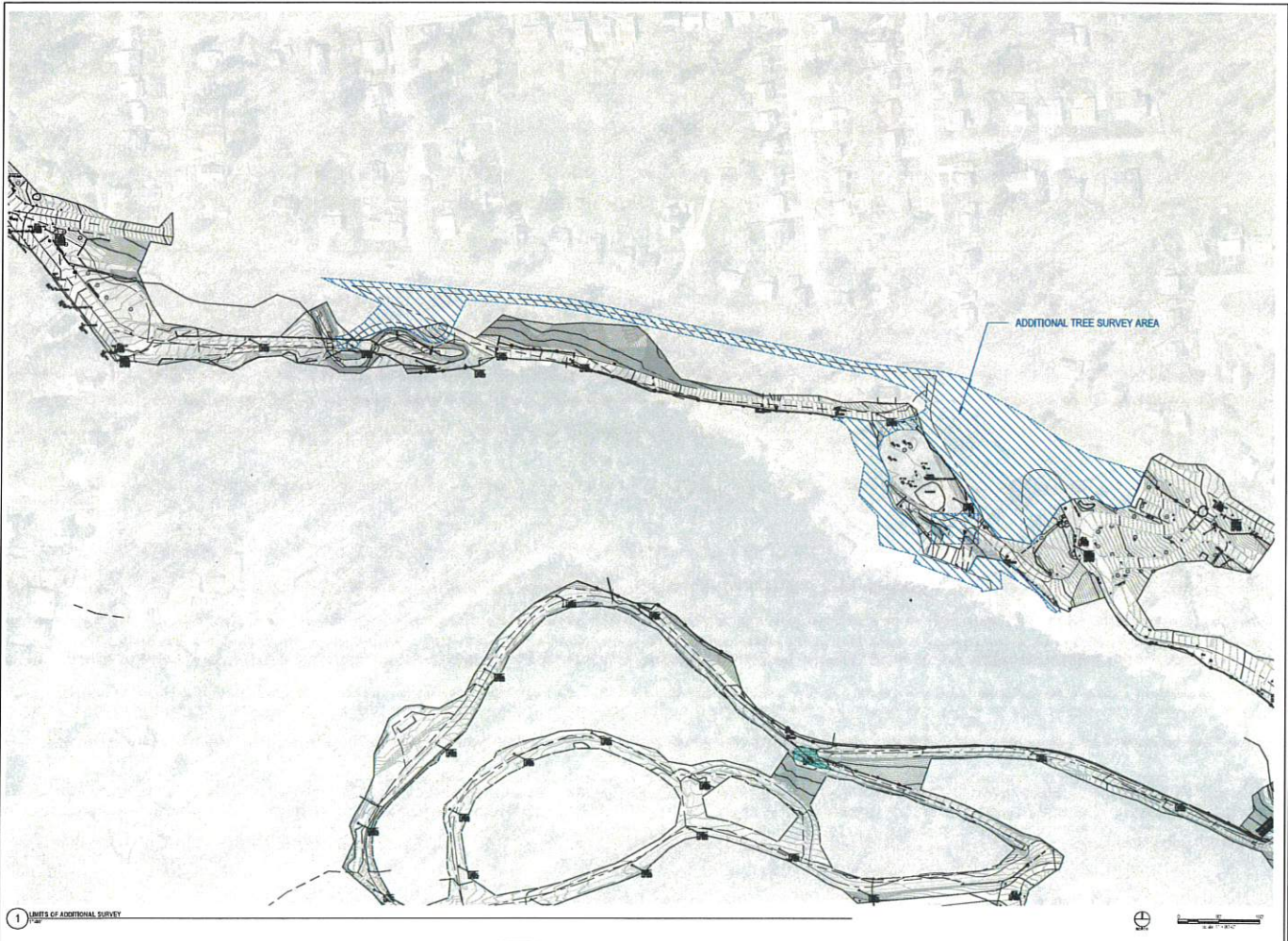
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FILE NAME: S:\Projects\13122020\13122020-05-13122020\13122020-14-0000.dwg  
 USER: jason  
 DATE: 1/13/2021



1 LIMITS OF ADDITIONAL SURVEY

<b>PROJECT INFORMATION</b> PROJECT NO: 13122020-05-13122020-14-0000 PROJECT NAME: FISHERS PARK TRAIL IMPROVEMENTS PROJECT LOCATION: FISHERS PARK, WESTCHESTER COUNTY, NY PROJECT DATE: 1/13/2021 PROJECT STATUS: PRELIMINARY		<b>CLIENT INFORMATION</b> CLIENT: CITY OF WESTCHESTER CONTACT: JASON MURPHY ADDRESS: 100 WESTCHESTER AVENUE WESTCHESTER, NY 10598		<b>DESIGNER INFORMATION</b> DESIGNER: FISHER CONSULTANTS ADDRESS: 100 WESTCHESTER AVENUE WESTCHESTER, NY 10598 PHONE: (914) 391-1100 FAX: (914) 391-1101 WWW: WWW.FISHERCONSULTANTS.COM		<b>REVISIONS</b>	
NO.	DATE	DESCRIPTION	BY	DATE	BY	DATE	BY
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**IN  
THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Dated: February 28, 2024

Sponsored by Councilmember(s): Middleton, Porter, Cavanaugh

Introduced by Committee(s) on: Public Works and Parks

**RESOLUTION  
*entitled***

A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO A SUPPLEMENTAL AGREEMENT  
WITH FISHER ASSOCIATES FOR ROSS PARK  
RECREATIONAL TRAIL DESIGN

WHEREAS, pursuant to Permanent Resolution 23-65, dated August 9, 2023, City Council authorized the Mayor to enter into a professional services agreement with Fisher Associates; and

WHEREAS, the Planning Director recommends the City enter into Supplemental Agreement with Fisher Associates for completing the Ross Park Recreational Trails preliminary design report.

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 Fisher Associates for completing the Ross Park Recreational Trails Preliminary design report, in an amount not to exceed \$85,500; and that funds shall be deducted from budget line H7110.555555.PK020 (NYSOPRH EPF GRANT) for this purpose.

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

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

**RESOLUTION**

Intro. No R24-13

Perm No. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH FISHER ASSOCIATES FOR ROSS PARK RECREATIONAL TRAIL DESIGN**

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

Sponsored by: Middleton, Porter, Cavanaugh

\_\_\_\_\_  
Date

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

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

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

\_\_\_\_\_  
Mayor

	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Dundon				
<b>Total</b>				

Code of the City of Binghamton

Adopted       Defeated

\_\_\_\_\_ Ayes    \_\_\_\_\_ Nays    \_\_\_\_\_ Abstained    \_\_\_\_\_ Absent