



★ expedite

RL Number: <u>RL 24-79</u>
Date Submitted: _____

# Legislative Branch

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. Incomplete/incorrect RLs will be returned to applicant for revisions. Please include as much supplemental material as is necessary to substantiate the request for legislation. Use "Additional Presenters" line to include anyone that will appear to present this in City Council Work Session.

### Applicant Presenting RL at Work Session

Chuck Shager	Comptroller	(607) 772 - 7011
<i>(Print Name)</i>	<i>(Title)</i>	<i>(Phone number)</i>

*(Additional Presenters)*

**Proposed Title:**

### To Be Completed By Applicant

Amend the 2024 General Fund and Insurance Fund Budgets to pay settlement

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

The Budget needs to be amended to pay for a settlement. See attached budget transfer sheet.

Effective Date: (if applicable) 04/24/2024

**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.

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

**Contract:** Person/Company \_\_\_\_\_

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

**Public Hearing required?** Yes  Not Applicable  **SEQRA required?** Yes  Not Applicable

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

**Expedition requested for this RL?** Yes  No

**Please explain why expedition is necessary:**

To get the funds transferred and matter resolved



# 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: 2024

Department: \_\_\_\_\_ CORP COUNCIL

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

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

Amount		Increase/Decrease		Revenue/Expense / Fund Balance		Budget Line		Budget Line Title	
\$	250,000.00	Increase		Revenue		M.49999		FUND BALANCE	
\$	250,000.00	Increase		Expense		M1910.54900		PROV FOR INCURRED LOSS	

**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: [Signature] Date: 4/11/24

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

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

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

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

Signature: *Billie Goodson* 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 \_\_\_\_\_, 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:** 2024
**Department:** BJCJSTP  
**Department Head Signature:** Billie Goodson

Transfers								
Transfer From (Decrease)			  	Transfer To (Increase)				
Amount	Budget Line	Budget Line Title		Amount	Budget Line	Budget Line Title		
\$ 51,750.00	ES8130.54410	PROFESSIONAL SERVICES		\$ 51,750.00	ES8130.55000	CONTINGENCY		
\$ 51,750.00				\$ 51,750.00				

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

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter9, 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: \_\_\_\_\_





# Legislative Branch

RL Number: <u>24-80</u>
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

JULIET BERLING	DIRECTOR PHCD	607 772 7028
(Print Name)	(Title)	(Phone number)

Signature: \_\_\_\_\_ Date: 04/05/2024

### To Be Completed By Applicant

**Proposed Title:** RESOLUTION AUTHORIZING THE CITY TO ACCEPT A CREST GRANT FROM DASNY  
IN THE AMOUNT OF \$150,000 FOR RENOVATION OF THE RESTROOMS AND ADMIN LOBBY AT ROSS PARK ZOO

**Executive Summary (Explain why legislation is necessary):** FUNDING HAS BEEN AWARDED TO THE CITY OF BINGHAMTON PARKS DEPARTMENT FROM THE COMMUNITY RESILIENCY, ECONOMIC SUSTAINABILITY, AND TECHNOLOGY PROGRAM ADMINISTERED BY DASNY FOR THE RENOVATION OF THE ROSS PARK ZOO RESTROOMS AND ADMIN LOBBY

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

<b>OFFICE USE ONLY</b>					
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"/>



# 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: DASNY CREST PROGRAM

Total project cost: \$150,000

Total amount of grant: \$150,000

Local match (if any): N/A

If local match is monetary, provide the budget line and title: \_\_\_\_\_

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

\_\_\_\_\_

Disbursement of grant (upfront, reimbursable?): REIMBURSABLE

Grant Budget Line: \_\_\_\_\_

Grant project manager: JULIET BERLING/NICK BALLARD

Anticipated date of project completion: 12/31/2024

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Assistance Listing # (formerly CFDA) \_\_\_\_\_



DASNY

KATHY HOCHUL  
Governor

LISA GOMEZ  
Chair

February 15, 2024

**VIA EMAIL**

Patrick McGinnis  
Assistant Director of Parks & Recreation  
City of Binghamton  
38 Hawley Street  
Binghamton, New York 13901

Re: *Community Resiliency, Economic Sustainability, and Technology Program ("CREST")  
Renovation of the Restrooms at Ross Park Zoo  
Project ID: 26660*

Dear Patrick McGinnis:

As you know, the State has awarded the City of Binghamton ("Grantee") a Community Resiliency, Economic Sustainability, and Technology Program ("CREST") grant for the above-referenced project in the amount of \$150,000.00 (the "Grant").

This letter outlines the documentation you will need to complete and return to DASNY in order to start the Grant Administration process.

- *Please return the completed documentation electronically, as described below within thirty (30) days. **If you are not able to meet this timeframe, please send an email to [callcenter@dasny.org](mailto:callcenter@dasny.org) with your requested timeline for submission.***
- *If the information is not returned in a timely manner, or documentation is incomplete, your Grant will be delayed as DASNY generally reserves the right to request updated documentation throughout the administrative process to ensure the required reviews are based on accurate information.*
- *If there are any changes to the contact information for the primary contact for your organization, the authorized officer contact information, or change in your organizational address – please email ([callcenter@dasny.org](mailto:callcenter@dasny.org)).*

***Please also read the attached Frequently Asked Questions (FAQs) as it relates to the following requested documents and other questions that you may have regarding the Grant Process.***

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**ALBANY (HEADQUARTERS):** 515 Broadway, Albany, NY 12207 | 518-257-3000  
**BUFFALO:** 6047 Transit Road, Suite 103 East Amherst, NY 14051 | 716-884-9780  
**NEW YORK CITY:** 28 Liberty Street, Fl 55, New York, NY 10005 | 212-273-5000  
**ROCHESTER:** 3495 Winton Place, Building C, Suite 1, Rochester, NY 14623 | 585-450-8400

**DORMITORY AUTHORITY STATE OF NEW YORK**  
**WE FINANCE, DESIGN & BUILD**  
**NEW YORK'S FUTURE.**

[www.dasny.org](http://www.dasny.org)



The following documents must be completed and returned to DASNY so the required reviews can be conducted and State approvals obtained:

- Completed Grantee Certification signed by two (2) authorized officers;
- Completed Project Certification signed by an authorized officer;
- The Grantee Questionnaire (GQ) requested by DASNY expires after one (1) year;
  - o The GQ on file has expired or is about to expire. Please provide the names, titles and email addresses of two authorized officers so that a GQ may be sent out by the Processor that will be assigned to review your paperwork:  
Authorized Officer #1: Name: Juliet Berling Title: Director Planning&Housing  
Email: jmberling@cityofbinghamton.gov Phone: 607 772 7028 Ext: \_\_\_\_\_  
Authorized Officer #2: Name: Nicholas Ballard Title: Parks&Rec Commissioner  
Email: npballard@cityofbinghamton.gov Phone: 607 772 7017 Ext: \_\_\_\_\_
- Evidence of Site Control;
  - o Certificate of Municipal Site Control
  - o

If your organization is a not-for-profit please also see the 'Prior to Final Approval' section in attached FAQs for information regarding the prequalification requirement through NY State Grants Gateway.

Grantees are also advised that grant-funded projects are subject to the State Environmental Quality Review Act (SEQRA) and State Historic Preservation Act (SHPA). Information regarding the SEQRA and SHPA process is included in the FAQs.

Should you have any questions concerning the enclosed documentation please either call (518) 257-3177 or email [callcenter@dasny.org](mailto:callcenter@dasny.org) and a member of the Call Center Team will assist.

Sincerely,


*Grants Administration*


**GRANTEE CERTIFICATION**  
**City of Binghamton**  
Renovation of the Restrooms at Ross Park Zoo  
Project ID: 26660

WE HEREBY WARRANT, REPRESENT AND CERTIFY TO DASNY that:

- The City of Binghamton (the "Grantee") has applied for a ("CREST") Grant in the amount of \$150,000.00 (the "Grant"). This Grant will be used for the Renovation of the Restrooms at Ross Park Zoo (the "Project"). We understand that the Grant funds may be used only for certain community improvement purposes as set forth in the enabling legislation and that the Grant Disbursement Agreement (GDA) to be executed in connection with this Grant contains a provision that states that Grant funds may not be used to finance a program or Project that will in any way promote or facilitate religious worship, instruction or proselytizing. We have been informed that this provision exists to ensure compliance with Federal and State law. Therefore, as Authorized Officers of the Grantee, we hereby certify the following in connection with the Project to be financed by the Grant:
  - no religious purpose shall be advanced or promoted by the Project or program funded by the Grant;
  - the Project or program will provide no religious instruction or counseling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of services or the use of facilities or furnishings assisted in any way by public funds;
  - the Project or program shall be open to all without regard to religion; and
  - the Grantee shall take affirmative steps to ensure that information is widely disseminated with respect to the following aspects of the Project or program:
    - the Project or program is publicly funded;
    - the Project or program is open to all, regardless of religious affiliation; and
    - the Project or program beneficiaries are not limited to any particular sect or group.
  - the Grantee shall exercise care to make sure the facilities and/or services to be supported in whole or in part by Grant proceeds are available and accessible to all members of the public by ensuring Project location(s) and/or service areas are in proximity to public transportation; sufficient parking; and by choosing Project location(s) and/or service areas that do not restrict use to a certain subset of the population defined by religion;
- We understand that the State of New York, DASNY and other entities that may be involved in the Grant process are relying on the above information in making the determination whether to award the Grant to the Grantee.
- By signing this document, we certify that we are authorized officers for the Grantee and have the authority to submit this Certification.

Please sign and return this document to DASNY by either signing pen to paper and sending the pdf OR by typing your full name into signature line(s) below as indicated. Please return these documents to [callcenter@dasny.org](mailto:callcenter@dasny.org) from the Grantee's organizational email address and retain the original copies for production to DASNY if requested. By providing electronic signature(s), the Grantee's designee will be providing validly binding legal documents, just the same as a pen-and-paper signature.

  
\_\_\_\_\_  
Authorized Officer (sign or type)  
Juliet m. Berling  
\_\_\_\_\_  
Printed Name (print or type)  
Director Planning Housing & Community Development  
\_\_\_\_\_  
Title (print or type)  
3/22/24  
\_\_\_\_\_  
Dated

  
\_\_\_\_\_  
Authorized Officer (sign or type)  
Nicholas P. Ballard  
\_\_\_\_\_  
Printed Name (print or type)  
Acting Commissioner Parks & Recreation  
\_\_\_\_\_  
Title (print or type)  
3/25/24  
\_\_\_\_\_  
Dated



**PROJECT CERTIFICATE OF THE**  
**City of Binghamton**  
Community Resiliency, Economic Sustainability, and Technology Program (the "CREST")  
For the Renovation of the Restrooms at Ross Park Zoo  
(Project ID: 26660)

I, the undersigned, an Authorized Officer of City of Binghamton (the "Grantee"), DO HEREBY CERTIFY that:

- All contractors and vendors retained to perform services in connection with the Renovation of the Restrooms at Ross Park Zoo (the "Project") shall be authorized to do business in the State of New York and shall possess and maintain all professional licenses and/or certifications required to perform the tasks undertaken in connection with the Project.
- To the extent that CREST Grant proceeds are used to reimburse the Grantee for the cost of any portion of the Project noted above, the Grantee certifies that no other external funding source, including but not limited to, State or Federal restructuring loans, State or Federal grants, or grants, loans, or other funding from any other public or private source (currently or within the last six (6) years), will be used for substantially the same Project costs at the same location as described in the Preliminary Application or Project Information Sheet provided to DASNY.
- If the Project includes vehicle purchase(s), removable equipment, or furnishings including but not limited to, computer hardware and software, air conditioning units, lab equipment, security cameras, office furniture and telephone systems, the Grantee has or will develop, implement, and maintain an inventory system for tracking such items, and items will be installed, stored, or secured on property owned by and/or under the control of the Grantee; the Grantee has or will develop, implement, and maintain a usage policy for items in compliance with all State and Federal regulations or privacy laws, including use, retention, storage, or deletion of any data, images, or videos stemming from Grant funded purchase of such items if applicable.
- The Grantee has informed DASNY via the Preliminary Application, Project Information Sheet, or other correspondence if Grantee is a state related entity, or if the Project location is owned by a state related entity. Furthermore, if the status of the Grantee or Project location changes, the Grantee will inform DASNY of any changes that would impact the tax-exempt status of the Grant.
- The Grantee acknowledges that Grant proceeds cannot be utilized to pay for:
  - Deposits advance payments, or progress payments until work is completed, or goods received by Grantee;
  - to pay down long term debt;
  - internal labor costs;
  - rental or leased equipment, or equipment with an anticipated useful life of less than three (3) years;
  - stockpiled materials;
  - recurring software costs, including licensing or maintenance fees;
  - materials and/or services provided by another entity other than a licensed contractor or vendor.
- The Grantee will maintain accurate books and records through Project completion/payout of the Grant as well as for six (6) years from the date the Project is completed and will make those books and records available to DASNY, its agents, officers and employees during the Grantee's business hours upon reasonable request.

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of March, 2024.

By signing these documents, I certify that I am an authorized officer for the Grantee.

**Please sign and return this document to DASNY by either signing pen to paper and sending the pdf OR by typing your full name into signature line(s) below as indicated. Please return these documents to [callcenter@dasny.org](mailto:callcenter@dasny.org) from the Grantee's organizational email address and retain the original copies for production to DASNY if requested. By providing electronic signature(s), the Grantee's designee will be providing validly binding legal documents, just the same as a pen-and-paper signature.**

By (sign or type): Juliet Berling  
Name (print or type): Juliet Berling  
Title (print or type): Director Planning  
Housing + Community Dev









**Essential Constructs**

TIPS Contract: 22010702 Trades, Labor and Materials (JOC)

6821 Colyer Xing, Victor, NY 14564  
 C:607.760.2350  
 rob@essentialconstructs.com

QUOTE# 1158  
 DATE: 11.28.2023

EXPIRATION DATE: 30 Days

TO Ross Park Zoo  
 "Ross Park Zoo - CFA 2023 Administration Building Project"  
 60 Morgan Road  
 Binghamton, NY 13903

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	<p>Scope of Work (Administration Building):  <u>Lobby Area:</u></p> <ul style="list-style-type: none"> <li>• Pour concrete to fill existing concrete stairs.</li> <li>• Frame in all open sections of walls.</li> <li>• Install ½" OSB plywood on both sides of the walls.</li> <li>• Install new R13 insulation inside of walls.</li> <li>• Install 2 new vinyl sliding windows.</li> <li>• Install new 6' double glass door with hardware.</li> <li>• Install new 36" steel ADA entry door with half glass, panic hardware and closer.</li> <li>• Install new vinyl siding to cover new walls inside and outside of the lobby area.</li> <li>• Install 3 new LED lights in the lobby area.</li> <li>• Reframe section of roof over new man door entry for future ADA ramp.</li> <li>• Install rolled roofing over newly framed section of roof.</li> <li>• Remove existing gutter; cut, cap and reuse for new section of roof.</li> <li>• Paint unfinished ceiling areas to match existing ceilings.</li> <li>• Install 2 new receptacles in lobby area.</li> <li>• Install new exterior light for doorway and install necessary switches.</li> </ul>	\$130,500.00	\$130,500.00
1	<p><u>Both bathrooms at the Administration Building:</u></p> <ul style="list-style-type: none"> <li>• Remove existing tile floor and all plumbing fixtures including bathroom dividers.</li> <li>• Reinstall bathroom divider in another location and leave owner with an additional divider material.</li> <li>• Install new tile floor throughout both bathrooms.</li> <li>• Install new T&amp;G prefinished wood ceiling in both bathrooms.</li> <li>• Patch and paint existing walls in both bathrooms.</li> <li>• Remove and install 2 new residential steel entry doors with closes and signs for both bathrooms.</li> <li>• Install 1 new ADA sink with faucet and mirror and 1 new ADA toilet fixture in each bathroom.</li> <li>• Install necessary grab bars in each bathroom.</li> <li>• Remove and reinstall existing baby changing stations.</li> <li>• Install new wall mounted electric heater in each bathroom.</li> <li>• Install 2 new LED lights in each bathroom.</li> </ul>	Included in Cost Above	Included in Cost Above



	Note:		
	<ul style="list-style-type: none"> <li>Refer to the contractors back up information below.</li> </ul>		

SUBTOTAL	\$130,500.00
GENERAL CONDITIONS	\$19,500.00
TOTAL	\$150,000.00

If you have any question about this Quote, please contact: Robert Warholic, C:607.760.2350 E: rob@essentialconstructs.com

**THANK YOU FOR YOUR BUSINESS!**



# Proposal

DATE: NOVEMBER 27, 2023  
EXPIRATION: DEMCEMBER 27, 2023



Mike 607-343-3612/Colette 607-221-9646/Mike@tokoscontracting.com

TO Ross Park Zoo  
60 Morgan Rd  
Binghamton, NY 13903

ALL PHASES OF BUILDING AND REMODELING

## Both bathrooms at the Administration Building:

1. Remove existing tile floor and all plumbing fixtures including bathroom dividers.
2. Reinstall bathroom divider in another location and leave owner with an additional divider material.
3. Install new tile floor throughout both bathrooms.
4. Install new T&G prefinished wood ceiling in both bathrooms.
5. Patch and paint existing walls in both bathrooms.
6. Remove and install 2 new residential steel entry doors with closers and signs for both bathrooms.
7. Install 1 new ADA sink with faucet and mirror and 1 new ADA toilet fixture in each bathroom.
8. Install necessary grab bars in each bathroom.
9. Remove and reinstall existing baby changing stations.
10. Install new wall mounted electric heater in each bathroom.
11. Install 2 new LED lights in each bathroom.

## Lobby Area:

1. Pour concrete to in fill existing concrete stairs.
2. Frame in all open sections of walls.
3. Install ½" OSB plywood on both sides of the walls.
4. Install new R13 insulation inside of walls.
5. Install 2 new vinyl sliding windows.
6. Install new 6' double glass door with hardware.
7. Install new 36" steel ADA entry door with half glass, panic hardware and closer.
8. Install new vinyl siding to cover new walls inside and outside of lobby area.
9. Install 3 new LED lights in lobby area.
10. Reframe section of roof over new man door entry for future ADA ramp.

11. Install rolled roofing over newly framed section of roof.
12. Remove existing gutter; cut, cap and reuse for new section of roof.
13. Paint unfinished ceiling areas to match existing ceilings.
14. Install 2 new receptacles in lobby area.
15. Install new exterior light for doorway and install necessary switches.

TOTAL: \$130,500.00  
 (One Hundred Thirty Thousand Five Hundred Dollars and Zero Cents)

**NOTE:**

- Excludes any insulation on any existing walls and ceiling covers.
- Excludes any architectural plans and permits.
- Work to be done during normal business hours.

	Note: This proposal may be withdrawn by us if not accepted within (15) days. You have a legal right to cancel this transaction within (3) business days.
--	---

This is a proposal on the services named, subject to the conditions noted below: All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, and/or delays beyond our control. Owner to carry fire, tornado, or other necessary insurance.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments to be arranged.  
 To accept this proposal, sign here and return: \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

**WE APPRECIATE YOUR BUSINESS!**



**PROJECT BUDGET TEMPLATE**

Project Costs / Tasks		DASNY Funding Sources		Other Non-DASNY Funding Sources		Totals by Project Tasks
		Grant Project No.	Amount	Type	Amount	
1	Ross Park Zoo Administration Building Lobby Area	26660	\$ 130,500.00			\$ 130,500.00
2	Ross Park Zoo Administration Building (2) Bathrooms	26660		cost included in \$130,500		\$ -
3	General Conditions	26660	\$ 19,500.00			\$ 19,500.00
4						\$ -
5						\$ -
6						\$ -
7						\$ -
8						\$ -
9						\$ -
10						\$ -
Totals by Funding Source			\$ 150,000.00		\$ -	\$ 150,000.00

**Notes**

- 1) For each task you must provide documentation (i.e. cost estimate, quote, appraisal, invoice etc.) to support project costs. Documentation must be provided by a qualified vendor, contractor, engineer/architect, etc. and must be recent (i.e. within 1 year if cost estimate, if invoice – please note project can not be completed prior to grant award date). **See Budget Justification Template** for guidance.
- 2) If Project is not fully funded by grant, and grantee will fund gap with other funding sources, documentation must be provided to prove project is fully funded. See **Project Funding Sources Tab** for guidance
- 3) Green cell should equal the total grant award and is automatically calculated.
- 4) Orange cell should equal the total of other types of funding needed to complete project and is automatically calculated.
- 5) Yellow cell should equal total project costs and is automatically calculated.

**BUDGET JUSTIFICATION TEMPLATE**

Project Costs <u>Not</u> Incurred to Date						
	Project Costs / Tasks	Documentation Type (Quote, Appraisal, Est.)	Expert / Vendor / Contractor	Date of Est.	Cost Est.	
1	Ross Park Zoo Administration Building Lobby Area	Quote #1158	Essential Constructs	11/28/2023	\$ 130,500.00	
2	Ross Park Zoo Administration Building (2) Bathrooms	Quote #1158	Essential Constructs	11/28/2023	included	
3	General Conditions	Quote #1158	Essential Constructs	11/28/2023	\$ 19,500.00	
4						
5						
6						
7						
8						
9						
10						
Project Costs Incurred to Date						
	Project Costs / Tasks	Documentation Type (Invoice, AHC/Check #)	Expert / Vendor / Contractor	Date of Cost Incurred	Amount Paid	
11						
12						
13						
14						
15						
16						
17						
18						
Total					\$ 150,000.00	
<b>Notes</b>						
Yellow cell on Budget Justification Template should = Yellow cell on Project Budget Template (i.e. the total project cost)						
If project has not started, all costs should be listed under project costs <b>not</b> incurred to date						
If the project is complete, all costs should be listed under project costs incurred to date						
If project has started but is not complete, costs will be listed under both						





# Legislative Branch

RL Number: <u>24-81</u>
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

Dylan Pelton <i>(Print Name)</i>	Historic Preservation Planner <i>(Title)</i>	(607) 772-7028 <i>(Phone number)</i>
Signature:		Date: 04/09/2024

### To Be Completed By Applicant

**Proposed Title:** AN ORDINANCE AUTHORIZING THE CITY TO ACCEPT A DONATION OF PUBLIC ART FROM CAITLYN DAVEY AND JAMES MCILROY.

---

**Executive Summary (Explain why legislation is necessary):** A Binghamton University student, Caitlyn Davey, would like to install a mural in the tunnel located in Confluence Park below the Memorial Street bridge. The artwork of the mural can be seen in the attached material and would run the length of the West side of the tunnel. It includes scenes of various riverside plants and animals associated with the Chenango and Susquehanna rivers. The artist is James Mcilroy, an Oneonta based muralist whose work is featured throughout the Southern Tier.

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

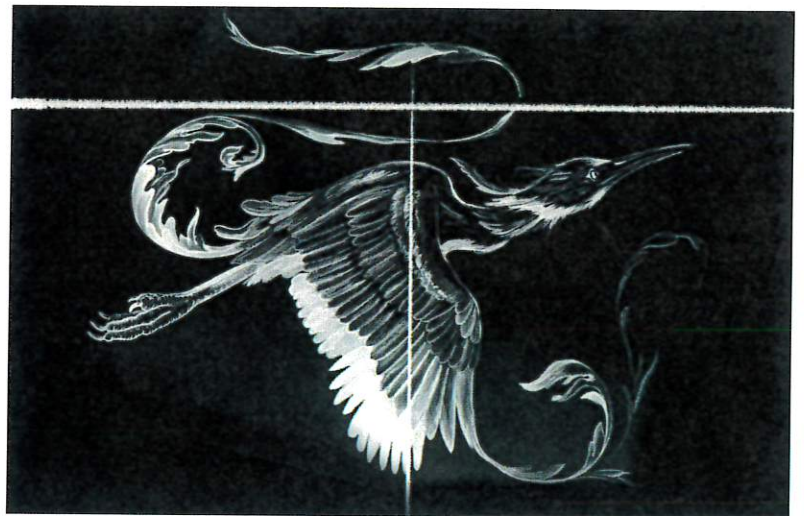
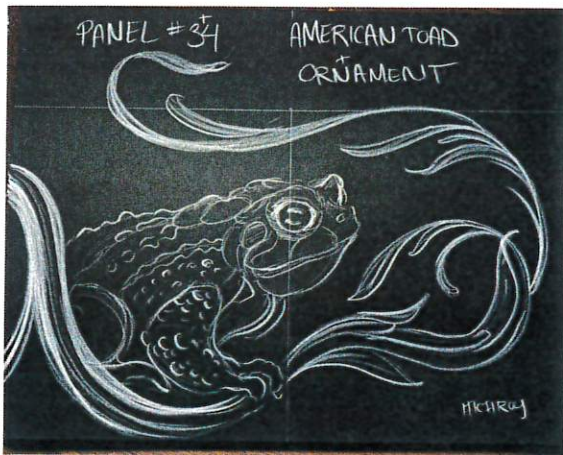
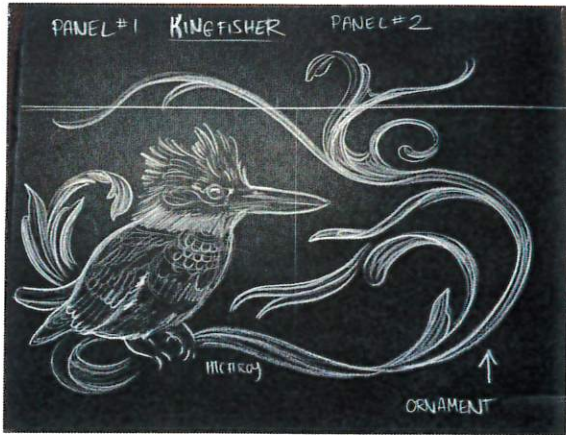
**Additional information related to this RL attached?** Yes  No

<b>OFFICE USE ONLY</b>	
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"/>



Confluence Park Mural Proposal  
 Binghamton City Council Review  
 James McIlroy, commissioned artist  
 Caitlyn Davey, coordinator  
 (607) 267-9265  
[cdavey1@binghamton.edu](mailto:cdavey1@binghamton.edu)

## Proposed Tunnel Artwork



### Black & White Paint Brands:

- Montana
- Rustoleum

### Anti-graffiti Coating

- VandIGuard One





# Legislative Branch

RL Number: <u>24-82</u>
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

Stephen Carson <i>(Print Name)</i>	HUD Manager <i>(Title)</i>	6077727028 <i>(Phone number)</i>
Signature: _____		Date: <u>10/16/2023</u>

### To Be Completed By Applicant

**Proposed Title:** HOLD PUBLIC HEARING FOR NYSHCR GRANT

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**Executive Summary** *(Explain why legislation is necessary):* Per NYS HCR requirements, a third public hearing is required for grant 2100CVHCR59-22, also known as the Northshore Tower Elevator Project. This public hearing shall included notifying City Council and the public of the status of the project followed by public feedback on the project.

This hearing is required due to a missing public notification requirement from the previous public hearing.

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 R22-57 RL24-18, adoption date 6/5/22

**Contract:** Person/Company Binghamton Housing Authority Start/End Date 10/1/22 - 12/31/23

Total Cost \$450,000 Funds available in Budget Line CD8760.533800.CVHCR Title Building Rehb - Elev

**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"/>	

## Carson, Stephen

---

**From:** Hamias, Hailey (HCR) <hailey.hamias@hcr.ny.gov>  
**Sent:** Thursday, March 28, 2024 12:29 PM  
**To:** Carson, Stephen  
**Cc:** Heiman, Megan  
**Subject:** RE: 2100CVHR59-22, City of Binghamton, Second Public Hearing  
**Attachments:** Second Public Hearing Template.pdf

Good afternoon Stephen,

Thank you for your response. To closeout this grant, the City will need to hold a second public hearing. Once OCR has received the documentation for the second public hearing, the City and OCR can formally closeout this grant. These are the documents OCR will need:

- The Affidavit of Publication from a local newspaper
  - The legal notice should be published no later than seven days PRIOR to the public hearing. For illustrative purposes only, if the public hearing was today, the legal notice should have been published in the newspaper at the latest March 20<sup>th</sup>.
- ✓ • A full, legible copy of the legal notice as published
  - OCR offers a template, please see the attached
- A copy of the minutes from the hearing
- A clear, legible copy of the legal notice posted in a conspicuous location 72 hours PRIOR to the public hearing
  - The 'conspicuous location' must be accessible by the public (theoretically), not just the beneficiaries of the project. This includes a City bulletin board or the City website.
  - Acceptable evidence includes a website screenshot or digital photo with date, written attestation, or other clear evidence documenting the above.

The project has already been monitored and the City has submitted your Final APR. Therefore, we are otherwise all set. Please let me know if you have any questions. I would be happy to help.

Thank you again,

**Hailey Hamias**  
Project Manager

### **New York State Homes & Community Renewal**

Office of Community Renewal  
38-40 State Street, 4 South  
Hampton Plaza  
Albany, NY 12207  
Desk: 518-474-5645  
Hailey.Hamias@hcr.ny.gov  
[Community Development Block Grant | Homes and Community Renewal \(ny.gov\)](#)

To receive regular program updates through the OCR Newsletter, to register [click here](#).

Join us for "OCR Office Hours" on the first Wednesday of every month. The next session will be on Wednesday, April 3, 2024 at 1:00 PM, representatives of all OCR programs will be available virtually via WebEx to offer a casual opportunity for program administrators or interested applicants to meet OCR staff, ask questions, and discuss project ideas.

When: Wednesday, April 3, 2024



PREV  
RL for  
Public Hearing



# 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

Stephen Carson HUD Manager 6077727028  
(Print Name) (Title) (Phone number)

Signature: Date: 01/12/2024

### To Be Completed By Applicant

Proposed Title: HOLD PUBLIC HEARING FOR NYSHCR GRANT

Executive Summary (Explain why legislation is necessary): Per NYS HCR requirements, a second public hearing is required for grant 2100CVHR59-22, also known as the Northshore Tower Elevator Project. This public hearing shall include notifying City Council and the public of the status of the project followed by public feedback on the project. This hearing should be held on February 7, 2024.

Effective Date: (if applicable) 02/07/2024

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: 01/24/2024

RL related to previously adopted legislation: Perm. number R22-57, adoption date 6/8/2022

Contract: Person/Company Binghamton Housing Authority Start/End Date 10/1/2022 - 12/31/2023

Total Cost \$450,000 Funds available in Budget Line CD8760.533800.CVHCR Title BUILDING REHAB ELEV

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  Planning  MPA  PW/Parks  Employees  Rules/Special Studies



Legal Counsel Approval BMC

RL 22-161

Grant  
Authorization

Introductory No. R22-57

Permanent No. R22-57



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

Date: June 8, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

**A RESOLUTION AUTHORIZING THE MAYOR  
TO ACCEPT A CDBG CARES PROGRAM  
AWARD GRANT AND ASSIGN THE  
BINGHAMTON HOUSING AUTHORITY AS A  
GRANT SUB-RECIPIENT**

WHEREAS, the City of Binghamton has received a Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES) Program Award, #2100CVHR59-22, from the New York State Homes and Community Renewal (NYSHCR) in the amount of \$450,000; and

WHEREAS, the grant application was specifically for elevator replacement at the North Shore Tower, located at 35 Exchange Street, Binghamton, New York, owned and operated by the Binghamton Housing Authority; and

WHEREAS, the City of Binghamton wishes to assign the CDBG CARES Program Award Grant to the Binghamton Housing Authority as a sub-recipient.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to accept a CDBG CARES Program Award Grant from the NYSHCR; and be it further

RESOLVED that the Mayor, or his designee, is hereby authorized to enter into a grant agreement, approved as to form and content by the Office of Corporation Counsel, with the New York State Homes and Community Renewal (NYSHCR) for the CDBG CARES Program Award Grant; and be it further

RESOLVED that the Comptroller may amend the budget and create associated budget lines accordingly; and be it further

RESOLVED that the Mayor, or his designee, is hereby authorized to enter into a sub-recipient agreement, approved as to form and content by the Office of Corporation Counsel, with the Binghamton Housing Authority to assign the CDBG CARES Program Award Grant for elevator replacement at the North Shore Tower, located at 35 Exchange Street, Binghamton, New York.

Introductory No. R22-57

Permanent No. R22-57

Sponsored by City Council Members:  
Scarngi, Resciniti, Riley, Friedman, Burns, Scanlon,  
Stevan

A RESOLUTION AUTHORIZING THE MAYOR TO  
ACCEPT A CDBG CARES PROGRAM AWARD  
GRANT AND ASSIGN THE BINGHAMTON  
HOUSING AUTHORITY AS A GRANT SUB-  
RECIPIENT

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

Date 6/8/22

William G. Spano  
City Clerk

Date Presented to Mayor 6/9/22

Date Approved 6/9/22

John M. Tull  
Mayor

	Ayes	Nays	Abstain	Absent
Councilman Scarngi	✓			
Councilwoman Resciniti	✓			
Councilwoman Riley				✓
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Scanlon	✓			
Councilman Stevan	✓			
<b>Total</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>1</b>

Code of the City of Binghamton

Adopted  Deferred

6 Ayes 0 Nays 0 Abstain 1 Absent

I hereby certify the above to be a true  
copy of the legislation adopted by the  
Council of the City of Binghamton at a  
meeting held on 6/8/22. Approved  
by the Mayor on 6/9/22

John M. Tull

Legal Ad & Posted to City Bulletin Board  
ONCE date is determined

## Second Public Hearing Notice

### LEGAL NOTICE

Notice of Public Hearing  
City of Binghamton

The City of Binghamton will hold a public hearing on \_\_\_\_\_, 2024 at 6:00 PM at City Council Chambers, Binghamton City Hall 1<sup>st</sup> Floor, 38 Hawley Street, Binghamton, NY 13901 for the purpose of hearing public comments on the City of Binghamton's current Community Development Block Grant (CDBG) project: 2100CVHR59-22, Binghamton Housing Authority Northshore Tower Elevator Rehab \$450,000. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the progress of the ongoing CDBG project. Comments related to the effectiveness of administration of the CDBG project will also be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

City Council Chambers is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Stephen Carson at (607) 772-7028 at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted to [stcarson@cityofbinghamton.gov](mailto:stcarson@cityofbinghamton.gov) until \_\_\_\_\_, 2024.





# Legislative Branch

RL Number:  
24-83  
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

Sarah Glose Director of Economic Development 607-772-7161  
(Print Name) (Title) (Phone number)

Signature: \_\_\_\_\_ Date: 04/17/2024

### To Be Completed By Applicant

Proposed Title: AN ORDINANCE AUTHORIZING THE SALE OF 41 CLINTON ST BINGHAMTON, NY 13905 TO FIRST WARD ACTION COUNCIL FOR \$1

### Executive Summary (Explain why legislation is necessary):

The City of Binghamton desires to support the First Ward Gateway Revitalization project currently pursued by First Ward Action Council, of which one piece is the construction of a mixed-use affordable apartment building at 41 Clinton Street. To facilitate the project, the City of Binghamton seeks to to sell 41 Clinton Street to First Ward Action Council upon acquiring title to the property.

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 CD8760.535005.CVY45 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 MAYOR • CITY OF BINGHAMTON

## OFFER TO PURCHASE

Please complete the below application, and submit this document to the Mayor's Office for consideration. Please note that if such sale is approved, the Applicant will be liable for all filing fees associated with the transfer of this property.

### PROPERTY INFORMATION

Street Address of Property: 41 Clinton Street and 43.5 Clinton Street Binghamton New York 13905

Tax Parcel Identification Number: 160.23-2-31 And 160.23-2-29

Current Use of Property:  Residential  Commercial  Mixed Use  Vacant Lot

Offered Purchase Price: \$1.00 Dollar

Do you wish to **opt-out** of the free tree planting service?  Yes  No

Please describe the intended use of the property. The inclusion of a map or illustration depicting the intended use of the property will expedite the review process.

Residential and Commercial

### APPLICANT INFORMATION

Applicant Name: First Ward Action Council, Inc.

*Note. Please provide the full legal name of the applicant. If the applicant is a company or corporation, please list all shareholders or members.*

Mailing Address: 167 Clinton Street Binghamton, New York 13905

Telephone Number(s): 607-772-2850

Email Address: fwac@firstwardaction.org

Please list any other properties owned by the Applicant located within Broome County.

First Ward Action Council, Inc owns 63 properties including the following in Broome county: 305/309 Clinton Street, 165-169 Clinton Street, 171-177 Clinton Street, 119 Clinton Street, 81 Clinton Street, 144 Clinton Street, 47 North Street, 19 Columbus Street, 9 Frank Street, 19 Units on Front Street, 17-18 McDonald Ave, 8 Meadow Street, 175-177 Murray Street 182 Oak Street and 187 Oak Street, 20 Springforest Ave, 2030-2040 NYS RT. 26 Vestal, 10 Units on Crandall Street, 3 Units on Mather, 42-43 North Street, 10 Edwards Street and 95 Walnut Street.

*I hereby certify that the above information is a true account of my intended purchase and use of City-owned property. I understand that upon approval of any such sale, any deviance from the agreed-upon terms and conditions may result in the termination of such agreement through legal proceedings.*

Signature

Date

4/17/24

City Hall • 38 Hawley St., 4<sup>th</sup> Floor • Binghamton, NY 13901 • [www.cityofbinghamton.com](http://www.cityofbinghamton.com)

Phone: (607) 772-7001 • Fax: (607) 772-7155

## News List

# Mayor Kraham Announces Settlement

**Post Date:** 12/21/2023 10:04 AM

## Mayor Kraham Announces Settlement Banning Notorious Landlord Isaac Anzaroot from Binghamton Real Estate Business for 15 Years

**(BINGHAMTON, N.Y.)** — Mayor Jared M. Kraham on Thursday announced a major court settlement against Isaac Anzaroot, banning the downstate landlord from owning or managing property in Binghamton for the next 15 years and transferring control of 26 of Anzaroot's properties to the City.

**Mayor Jared M. Kraham** said: "No one person has done more harm to Binghamton's neighborhoods than Isaac Anzaroot. From my first day in office, I promised to hold bad actors accountable and send a clear message that we will not tolerate slumlords who put families in danger and hurt the integrity of our neighborhoods. This deal delivers a huge victory to residents, banning the area's most notorious landlord from owning property in Binghamton for the next 15 years. It's the most sweeping action taken against a problem property owner in memory and a major turning point for Binghamton's neighborhoods."

Under the Court-approved settlement agreement, Anzaroot is barred from participating in any real estate business in the City of Binghamton for 15 years, including owning, managing or operating residential and commercial properties.



Anzaroot will transfer 26 properties to the City of Binghamton. Due to pending judgments and garnishments against Anzaroot, the City will retain a fund with the appraised value of the properties — approximately \$751,000 after owed taxes, water bills and other fees — pending any court orders directing the funds'

disbursement to creditors.



As part of the settlement, Anzaroot will drop all active litigation against the City of Binghamton and waive all future claims. The City will dismiss its current criminal prosecutions against Anzaroot and associated LLCs.

Anzaroot has owned more than a hundred properties across the City under various LLCs in recent years, accruing countless housing code violations for the properties' poor conditions.

In 2022, Anzaroot was arrested by Binghamton Police on 12 bench warrants and two arrest warrants for housing code violations.

Beyond the 26 properties being transferred to the City, all of Anzaroot's remaining properties in Binghamton are in court-ordered receivership or pending mortgage or tax foreclosure.

The 26 properties the City will take title to include several on Henry Street and near the Stadium District, four on Fayette Street and two on Hawley Street.

The City will seek to demolish, rehabilitate, sell or otherwise redevelop the parcels to support neighborhood revitalization.

The full list of properties being transferred to the City is below:

- 3 Cary Street
- 32 Carroll Street
- 22 Clarke Street
- 41 Clinton Street
- 43.5 Clinton Street
- 2 Fayette Street
- 3 Fayette Street
- 4.5 Fayette Street
- 42 Fayette Street
- 181 Hawley Street
- 182 Hawley Street
- 114 Henry Street
- 122 Henry Street
- 124 Henry Street
- 206 Henry Street
- 206.5 Henry Street
- 208 Henry Street
- 210 Henry Street

Property sale will occur after transfer is executed.

- 312 Main Street
- 193 Matthews Street
- 9 Mill Street
- 155 Murray Street
- 12 Rutherford Street
- 5 Sturges Street
- 30 Thorp Street
- 31 Travis Street

[Return to full list >>](#)



# Legislative Branch

RL Number: <u>RL 24-84</u>
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. Incomplete/incorrect RLs will be returned to applicant for revisions. Please include as much supplemental material as is necessary to substantiate the request for legislation. Use "Additional Presenters" line to include anyone that will appear to present this in City Council Work Session.

### Applicant Presenting RL at Work Session

Samantha Costello

Deputy City Clerk

607-743-4847

(Print Name)

(Title)

(Phone number)

(Additional Presenters)

#### Proposed Title:

#### To Be Completed By Applicant

A resolution authorizing a special noise variance for Abel's Pub Live Music Events

#### Executive Summary (Explain why legislation is necessary):

Abel's Pub is requesting a special noise variance for live music events on select dates from May-October. The business owner is requesting this variance to avoid hardship as outlined in City Code Chapter 292-5 B regarding excessive noise. Business owner has installed soundproofing equipment and put measures in place to avoid excessive noise. (Application with additional details attached)

Effective Date: (if applicable) 05/10/2024

**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.

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

**Contract:** Person/Company \_\_\_\_\_

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

**Public Hearing required?** Yes  Not Applicable  **SEQRA required?** Yes  Not Applicable

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

**Expedition requested for this RL?** Yes  No

**Please explain why expedition is necessary:**





# Office of the City Clerk

Date Filed:

License No:

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

## **NOISE VARIANCE PERMIT APPLICATION**

### Variance Information

Name of Event: Abel's Pub Live Music

Date(s)/Time(s) of Event: 7:00-10:00 PM 5/3, 5/10, 5/18, 5/24, 5/31, 6/8, 6/14, 6/22, 6/28, 7/6, 7/12, 7/20, 7/27, 8/2, 8/25, 9/7, 9/13, 9/21, 9/27, 10/5, 10/11, 10/19, 10/26

Location of Event: Abel's Pub, 65 Rotary Avenue, Binghamton, NY 13905

### Contact Information

Name of Applicant: Martin F. Stantz and Patricia Marie Stantz

Address: 66 Lincoln Avenue, Binghamton, NY 13905

Phone (Home/Work/Cell): (607) 372-3415

### Additional Information

Is Applicant the owner of the property where the event will be located? Yes  No

(If the answer to the above question is 'No', the owner of the property must provide written consent.)

Provide a description of the plans, specifications and any other information pertinent to the source of sound and vibration.

Abel's Pub will offer outdoor live music on 5/3, 5/10, 5/18, 5/24, 5/31, 6/8, 6/14, 6/22, 6/28, 7/6, 7/12, 7/20, 7/27, 8/2, 8/25, 9/7, 9/13, 9/21, 9/27, 10/5, 10/11, 10/19, 10/26 from 7:00-10:00 PM. Live music will occur in fully enclosed, outdoor space that is part of the same parcel of land as the bar establishment, located directly behind the bar. Enclosure is equipped with permanent sound system and is reinforced with brand new soundproofing technology, including soundproof tiles built into the structure to reduce noise, and additional efforts to contain sound from traveling outside of the enclosure.

Provide a description of the sound, including estimated sound levels at the source property and across any real property boundaries, along with the date(s) and time(s) during the day that the sound will be generated.

Live music on 5/3, 5/10, 5/18, 5/24, 5/31, 6/8, 6/14, 6/22, 6/28, 7/6, 7/12, 7/20, 7/27, 8/2, 8/25, 9/7, 9/13, 9/21, 9/27, 10/5, 10/11, 10/19, 10/26 from 7:00-10:00 PM, including a variety of local musicians playing music at a reasonable volume. All music will be contained in back area enclosure, with soundproofing tiles and permanent music structure to contain sound from traveling far beyond enclosure. Sound will not cause unreasonable disturbance to neighbors and will end before 10:00 PM each date.

Provide a description of noise control methods that will be used to restrict emissions of the generated sound.

New directional sound system will reduce amplification and ambient noise, as well as improve sound quality within the enclosure to avoid increase in volume. Sound reduction technology, including



# Office of the City Clerk

Date Filed:

License No:

---

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

---

soundproofing tiles and noise mitigation materials. Enclosure is equipped with permanent sound system and is reinforced with brand new soundproofing technology, including soundproof tiles built into the structure to reduce noise, and additional efforts to contain sound from traveling outside of the enclosure.

Provide a description of the time schedule for the installation of noise abatement and control devices, technology and procedures or process modifications that will be followed to restrict the emissions of the sounds and vibrations.

Soundproofing is currently underway (tiles installed, permanent music system installed) and additional efforts will be completed before first date of live music.







# Legislative Branch

RL Number: <b>24-781</b>
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. Incomplete/incorrect RLs will be returned to applicant for revisions. Please include as much supplemental material as is necessary to substantiate the request for legislation. Use "Additional Presenters" line to include anyone that will appear to present this in City Council Work Session.

### Applicant Presenting RL at Work Session

Kinya Middleton	City Councilmember	607-772-7232
<i>(Print Name)</i>	<i>(Title)</i>	<i>(Phone number)</i>

*(Additional Presenters)*

### To Be Completed By Applicant

**Proposed Title:**

A Resolution in support of NY Senate Bill S8622

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

New York State has emergency assistance funds that are earmarked for people and families facing evictions following emergency situations. Unfortunately, restrictions to these funds prevents many people from accessing them and as a result, they go unused. Bill 2023-S8622, introduced by Senator Sean Ryan, seeks to repeal many of the unnecessary barriers to obtaining these funds by: 1) increasing the income ceiling to qualify for assistance; 2) removing the requirement that applicants repay the funds and demonstrate an ability to pay their rent in the future; and 3) shortening the waiting period before an applicant can apply for additional assistance in the future. This resolution would express our support of the passage of bill 2023-S8622 in the New York State Senate.

Effective Date: (if applicable) 04/24/2024

**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.

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

**Contract:** Person/Company \_\_\_\_\_

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

**Public Hearing required?** Yes  Not Applicable  **SEQRA required?** Yes  Not Applicable

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

**Expedition requested for this RL?** Yes  No

**Please explain why expedition is necessary:**

Expedition is necessary to express support in time for Senate vote proceedings

PART WW

35 Section 1. The private housing finance law is amended by adding a new  
36 article 32 to read as follows:

37 ARTICLE XXXII

38 INFILL HOUSING PILOT PROGRAM

39 Section 1290. Legislative purpose.

40 1291. Infill housing pilot program.

41 § 1290. Legislative purpose. It is hereby declared and found that  
42 there exists across upstate New York, and particularly in the cities of  
43 Buffalo, Rochester, Syracuse, Albany, and Binghamton, a shortage of  
44 affordable housing units available for purchase. It is further found  
45 that homeownership is essential for building generational wealth, and  
46 that the state therefore has an interest in promoting homeownership. In  
47 order, further, to promote homeownership, it is hereby declared that  
48 additional provisions should be made to provide public monies for the  
49 purposes of one- to two- family dwellings in the cities of Buffalo,  
50 Rochester, Syracuse, Albany, and Binghamton for purchase by low and  
51 moderate income buyers living in or near the census tract where the  
52 property is located. The necessity in the public interest for the  
53 provisions of this article is hereby declared as a matter of legislative  
54 determination.

S. 8306--B

142

1 § 1291. Infill housing pilot program. 1. The division of housing and  
2 community renewal shall, subject to appropriation, develop a program to  
3 make capital subsidies available for the purpose of building one- to  
4 two- family dwellings in the cities of Buffalo, Rochester, Syracuse,  
5 Albany, and Binghamton. The commissioner shall promulgate rules and  
6 regulations sufficient for the creation of a new program for the purpose  
7 of building such one- to two- family dwellings.

8 2. Funding for the program created pursuant to this article shall, to  
9 the extent practicable, be prioritized for development on vacant, aban-  
10 doned, or under-utilized land owned by the municipality.

11 3. Dwellings created pursuant to this program shall be sold to a not-  
12 for-profit corporation for the purpose of resale or individuals or fami-  
13 lies who are low or moderate income, as determined by the division of  
14 housing and community renewal, at the time of sale, who own no other  
15 real property, and who intend to use the dwelling as their primary resi-  
16 dence.

17 4. The division of housing and community renewal shall restrict any  
18 subsequent deed of sale to an individual or family of low or moderate  
19 income, as determined by the division of housing and community renewal,  
20 who intends to make the dwelling their primary residence.

21 5. Nothing in this article shall preclude the use of additional loans  
22 or grants in conjunction with this program.

23 § 2. This act shall take effect immediately.





**The City of Buffalo Common Council**

1413 City Hall  
Buffalo, NY 14202

**SCHEDULED**

Sponsors: University District Council Member Wyatt, Niagara District Council Member Rivera

**AGENDA ITEM 24-382**

Meeting: 03/05/24 02:00 PM  
Department: Common Council  
Category: Resolution  
Prepared By: Pedro Gonzalez-Ortiz  
Initiator: Pedro Gonzalez-Ortiz  
DOC ID: 24047 A

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## **Wyatt, Rivera - Resolution in Support of NY Senate Bill S8622**

**Whereas**, New York State has emergency assistance funds that are earmarked for people and families facing evictions following emergency situations. Unfortunately, restrictions to these funds prevents many people from accessing them and as a result, they go unused;

**Whereas**, Bill 2023-S8622, introduced by Senator Sean Ryan, seeks to repeal many of the unnecessary barriers to obtaining these funds by: 1) increasing the income ceiling to qualify for assistance; 2) removing the requirement that applicants repay the funds and demonstrate an ability to pay their rent in the future; and 3) shortening the waiting period before an applicant can apply for additional assistance in the future;

**Whereas**, this bill seeks to: 1) provide stability for families facing unexpected hardships; 2) relieves pressure from an overwhelmed shelter system; 3) provides money to landlord whose tenants are experiencing an emergency situation; 4) saves the State an estimated \$13,000 per household that is kept out of the shelter system; and 5) brings the administration of these programs in line with the more modern criteria for New York State's other social programs (i.e. HEAP); and

**Whereas**, these funds are already earmarked for this purpose yet often go unused. As such, there would be no cost to implement this program;

**Now, therefore be it resolved that the City of Buffalo Common Council:**

- 1) Supports the passage of bill 2023-S8622 in the New York State Senate.
- 2) Requests a copy of this resolution be sent to: 1) the office of the New York State Governor; 2) New York State Senate Leadership; 3) New York State Assembly Leadership; and 4) the office of New York State Senator Sean Ryan.

<b>RESULT:</b>	<b>REFERRED TO LEG</b>
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<b>Next: 3/12/2024 1:00 PM</b>
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# Legislative Branch

RL Number: <u>RL 24-78</u>
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. Incomplete/incorrect RLs will be returned to applicant for revisions. Please include as much supplemental material as is necessary to substantiate the request for legislation. Use "Additional Presenters" line to include anyone that will appear to present this in City Council Work Session.

### Applicant Presenting RL at Work Session

Nate Hotchkiss	City Councilmember	607-772-7236
<i>(Print Name)</i>	<i>(Title)</i>	<i>(Phone number)</i>

*(Additional Presenters)*

#### Proposed Title:

#### To Be Completed By Applicant

An ordinance to amend Chapter § 400-18 to include exception for impound fees to be earmarked for youth programming

#### Executive Summary *(Explain why legislation is necessary):*

Change language in Chapter 400 to include provision for impound fees to be earmarked for youth programming as such:

"C. The Comptroller shall establish a police vehicle fund identified as "H3120.9022," to which he or she shall increase appropriations in said line for the purpose of purchasing new police vehicles except as to impound fees collected under section 400-118 of Chapter 400, which fees shall, after the costs of impoundment and storage, go into the budget line for youth programming identified as A7310.54163.F0015."

Effective Date: (if applicable) 04/24/2024

**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.

**RL related to previously adopted legislation:** Perm. number 02-119, adoption date 10/21/2002

**Contract:** Person/Company \_\_\_\_\_

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

**Public Hearing required?** Yes  Not Applicable  **SEQRA required?** Yes  Not Applicable

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

**Expedition requested for this RL?** Yes  No

#### Please explain why expedition is necessary:

Necessary amendment preceding vote on RL24-42: An ordinance amending Chapter 400 of the City Charter, Vehicles and Traffic, adding the prohibition of operation of off-road vehicles in the City of Binghamton (ATV Legislation)



# 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: 02/15/2024

### To Be Completed By Applicant

**Proposed Title:** A Local Law amending Chapter 400 of the City Charter, Vehicles and Traffic, adding the  
 PROHIBITION OF OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF BINGHAMTON

**Executive Summary** (Explain why legislation is necessary): Draft amendment 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:	<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"/>

## **Article XII**

### **PROHIBITION OF OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF BINGHAMTON**

#### **§ 400-115. Legislative findings, Intent and purpose.**

The Mayor and City Council find that despite the clear prohibition in Section 2403 of Article 48-c of the New York State Vehicle and Traffic Law "Rules for Operation of All Terrain Vehicles," the number of incidents involving the illegal operation of ATVs and dirt bikes in the City of Binghamton and across New York State have steadily increased. The operation of illegal, unregistered dirt bikes, ATVs, and other non-street legal vehicles on the streets and parks in the City of Binghamton impact the public safety and quality of life of those who live and work in the City of Binghamton. These off-road vehicles pose a danger to the drivers and passengers of the legal vehicles operating on City streets, the public at large, and the patrons of City parks. Furthermore, the excessive noise created by the operation of these vehicles, which are not designed for use within city limits, often occurs late at night, disturbing the peace and quiet of City neighborhoods.

The purpose of this legislation is to strengthen the ability of the Binghamton Police Department to ensure public safety and the general welfare of the City of Binghamton and its citizens by providing a local law to deter the illegal operation of off-road vehicles in the City of Binghamton and in City parks by imposing a fine or imprisonment, impoundment of the off-road vehicle being operated illegally, and allowing for a redemption fee to be charged by the Binghamton Police Department in addition to the separate fees to be paid to the towing company who stores the impounded vehicle for the Binghamton Police Department.

#### **§ 400-116. Definitions.**

For purposes of this article, the following terms shall be defined as follows:

*Off-road vehicles:* All-terrain vehicles (sometimes referred to as ATVs) as that term is defined in Section 2281(1) of the New York State Vehicle and Traffic Law; Off-highway motorcycles as that term is defined in Section 125-a of the New York State Vehicle and Traffic Law; Motocross or dirt bikes; dune buggies; go-carts; and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles.

*Operate:* To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle in any manner, whether or not said off-road vehicle is under way.

*Operator:* Every person who operates or is in actual physical control of an off-road vehicle.



*Public highway:* Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

**§ 400-117. Restrictions.**

(a) *Public property.* No person shall operate an off-road vehicle on a public highway or on any public property in the City of Binghamton. Use of off-road vehicles is also prohibited in all City parks pursuant to section §301-4 of the Code of the City of Binghamton.

(b) *Private property.* No person shall operate an off-road vehicle off a public highway on private property in the City of Binghamton unless such person has first obtained the express consent of the owner or occupant of such property to operate the off-road vehicle on the property. There shall be a rebuttable presumption that the operator of an off-road vehicle on private property in the City of Binghamton lacks consent to operate the off-road vehicle on private property.

**§ 400-118. Penalties for offenses, impoundment and redemption.**

(a) The first time any person is found to be operating an off-road vehicle in violation of the provisions of §400-117 (a) or (b) or in violation of §301-4 of the Code of the City of Binghamton, it shall be punishable as a violation with a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed fifteen (15) days or both. The second time any person is found to be operating an off-road vehicle in violation of the provisions of §400-117 (a) or (b) or §301-4 of the Code of the City of Binghamton, it shall be punishable as a violation with a fine not to exceed seven hundred fifty dollars (\$750.00) or imprisonment not to exceed fifteen (15) days or both. For the third and all subsequent violations of the provisions of §400-117 (a) or (b) or §301-4 of the Code of the City of Binghamton, the person shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed one year or both.

(b) Any violation of the provisions of §400-117(a) or (b) or of §301-4 of the Code of the City of Binghamton shall apply towards the escalation of penalties for any future violations of either this article or §301-4.

(c) In addition to the penalties set forth in subsection (a) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of §400-117 (a) or (b) or of §301-4 of the Code of the City of Binghamton. The City of Binghamton utilizes various towing companies to assist with the towing and storage of vehicles seized and impounded by the Binghamton Police Department. Off-road vehicles impounded pursuant to this subsection shall be stored at the Binghamton Police Department impound, pending the identification of the owner of such off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent a notice of impoundment at the address on file with the New York State Department of Motor Vehicles by certified mail within five (5) days after the impoundment. Neither the police department impounding such off-road vehicle, nor the City of Binghamton, nor any agent nor any employee thereof, shall be liable for any damages arising out of the provision of an erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of §400-117(a) or (b) or of §301-4 of the Code of the City of Binghamton may redeem

such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of two thousand dollars (\$2,000.00). Satisfactory proof of ownership shall be consistent with the documentation that is required by the New York State Department of Motor Vehicles to register the off-road vehicle. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney.

**§ 400-119. Enforcement.**

The Chief of Police is charged with the enforcement of the provisions of this article.

**§ 400-120. Severability.**

If any clause, sentence, paragraph or part of this article or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons or circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons or circumstances directly involved in the controversy in which the judgment shall be rendered.

## **CHAPTER 301 PARKS AND RECREATION**

**§301-4 Prohibition of operation of off-road vehicles in City parks.**

No person shall operate or drive or cause to be operated or driven upon, within any of the City parks or playgrounds an off-road vehicle.

For purposes of this section an off-road vehicle shall be defined as: All-terrain vehicles (sometimes referred to as ATVs) as that term is defined in Section 2281(1) of the New York State Vehicle and Traffic Law; Off-highway motorcycles as that term is defined in Section 125-a of the New York State Vehicle and Traffic Law; motocross or dirt bikes; dune buggies; go-carts; and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles.

Persons found to be operating off-road vehicles in City parks in violation of this section shall be subject to the same penalties as listed in §400-118 of the Code of the City of Binghamton. A violation of this section shall apply towards the escalation of penalties set forth in §400-118 for any future violations of either this section or §400-117(a) or (b).

§ 400-18. Fee for impounded vehicles; disposition of fees. [Added 2-5-2001 by Ord. No. 01-6; amended 10-21-2002 by Ord. No. 02-119]

A. A fee per day as set from time to time by the City Council shall be charged to the registered owner of any vehicle impounded by the City of Binghamton Police Department as a storage fee payable to the City prior to the owner of said vehicle regaining possession of said vehicle (See Exhibit J).

B. The term "per day" as defined herein shall mean that said fine shall be levied for any portion of a twenty-four-hour period that the vehicle remains upon the City's impound lot.

C. The Comptroller shall establish a police vehicle fund identified as "H3120.9022," to which he or she shall increase appropriations in said line for the purpose of purchasing new police vehicles except as to impound fees collected under section 400-118 of Chapter 400, which fees shall, after the costs of impoundment and storage, go into the budget line for youth programming identified as A7310.54163.F0015.



## Article XII

### PROHIBITION OF OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF BINGHAMTON

#### § 400-115. Legislative findings, intent and purpose.

The Mayor and City Council find that despite the clear prohibition in Section 2403 of Article 48-c of the New York State Vehicle and Traffic Law "Rules for Operation of All Terrain Vehicles," the number of incidents involving the illegal operation of ATVs and dirt bikes in the City of Binghamton and across New York State have steadily increased. The operation of illegal, unregistered dirt bikes, ATVs, and other non-street legal vehicles on the streets and parks in the City of Binghamton impact the public safety and quality of life of those who live and work in the City of Binghamton. These off-road vehicles pose a danger to the drivers and passengers of the legal vehicles operating on City streets, the public at large, and the patrons of City parks. Furthermore, the excessive noise created by the operation of these vehicles, which are not designed for use within city limits, often occurs late at night, disturbing the peace and quiet of City neighborhoods.

The purpose of this legislation is to strengthen the ability of the Binghamton Police Department to ensure public safety and the general welfare of the City of Binghamton and its citizens by providing a local law to deter the illegal operation of off-road vehicles in the City of Binghamton and in City parks by imposing a fine or imprisonment, impoundment of the off-road vehicle being operated illegally, and allowing for a redemption fee to be charged by the Binghamton Police Department in addition to the separate fees to be paid to the towing company who stores the impounded vehicle for the Binghamton Police Department.

#### § 400-116. Definitions.

For purposes of this article, the following terms shall be defined as follows:

*Off-road vehicles:* All-terrain vehicles (sometimes referred to as ATVs) as that term is defined in Section 2281(1) of the New York State Vehicle and Traffic Law; Off-highway motorcycles as that term is defined in Section 125-a of the New York State Vehicle and Traffic Law; Motocross or dirt bikes; dune buggies; go-carts; and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. **Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles as defined in section 102 of the New York State Vehicle and Traffic Law, the use of electric scooters and bicycles with electric assist, as defined in**

sections 114-E and 102-C of the New York State Vehicle and Traffic Law, respectively, or any other vehicle legal for use on public streets and highways under the New York State Vehicle and Traffic Law provided the use is on permissible streets and highways in compliance with the New York State Vehicle and Traffic Law.

*Operate:* To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle in any manner, whether or not said off-road vehicle is under way.

*Operator:* Every person who operates or is in actual physical control of an off-road vehicle.

*Public highway:* Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

**§ 400-117. Restrictions.**

(a) *Public property.* No person shall operate an off-road vehicle on a public highway or on any public property in the City of Binghamton. Use of off-road vehicles is also prohibited in all City parks pursuant to section §301-4 of the Code of the City of Binghamton.

(b) *Private property.* No person shall operate an off-road vehicle off a public highway on private property in the City of Binghamton unless such person has first obtained the express consent of the owner or occupant of such property to operate the off-road vehicle on the property. There shall be a rebuttable presumption that the operator of an off-road vehicle on private property in the City of Binghamton lacks consent to operate the off-road vehicle on private property.

**§ 400-118. Penalties for offenses, impoundment and redemption.**

(a) The first time any person is found to be operating an off-road vehicle in violation of the provisions of §400-117 (a) or (b) or in violation of §301-4 of the Code of the City of Binghamton, it shall be punishable as a violation with a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed fifteen (15) days or both. The second time any person is found to be operating an off-road vehicle in violation of the provisions of §400-117 (a) or (b) or §301-4 of the Code of the City of Binghamton, it shall be punishable as a violation with a fine not to exceed seven hundred fifty dollars (\$750.00) or imprisonment not to exceed fifteen (15) days or both. For the third and all subsequent violations of the provisions of §400-117 (a) or (b) or §301-4 of the Code of the City of Binghamton, the person shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed one year or both.



(b) Any violation of the provisions of §400-117(a) or (b) or of §301-4 of the Code of the City of Binghamton shall apply towards the escalation of penalties for any future violations of either this article or §301-4.

(c) In addition to the penalties set forth in subsection (a) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of §400-117 (a) or (b) or of §301-4 of the Code of the City of Binghamton. The City of Binghamton utilizes various towing companies to assist with the towing and storage of vehicles seized and impounded by the Binghamton Police Department. Off-road vehicles impounded pursuant to this subsection shall be stored at the Binghamton Police Department impound, pending the identification of the owner of such off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent a notice of impoundment at the address on file with the New York State Department of Motor Vehicles by certified mail within five (5) days after the impoundment. Neither the police department impounding such off-road vehicle, nor the City of Binghamton, nor any agent nor any employee thereof, shall be liable for any damages arising out of the provision of an erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of §400-117(a) or (b) or of §301-4 of the Code of the City of Binghamton may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of one thousand dollars (\$1,000.00). Satisfactory proof of ownership shall be consistent with the documentation that is required by the New York State Department of Motor Vehicles to register the off-road vehicle. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney.

Deleted: two

Deleted: 2

#### § 400-119. Enforcement.

The Chief of Police is charged with the enforcement of the provisions of this article. For the first two consecutive years after this law is enacted, at the first work session in August of each year, the Chief of Police of the City of Binghamton, or his designee, shall report to City Council on the number of arrests and impoundments under this section of law for the preceding calendar year.

Deleted:

#### § 400-120. Severability.

If any clause, sentence, paragraph or part of this article or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons or circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons or circumstances directly involved in the controversy in which the judgment shall be rendered.



## **CHAPTER 301 PARKS AND RECREATION**

### **§301-4 Prohibition of operation of off-road vehicles in City parks.**

No person shall operate or drive or cause to be operated or driven upon, within any of the City parks or playgrounds an off-road vehicle.

For purposes of this section an off-road vehicle shall be defined as: All-terrain vehicles (sometimes referred to as ATVs) as that term is defined in Section 2281(1) of the New York State Vehicle and Traffic Law; Off-highway motorcycles as that term is defined in Section 125-a of the New York State Vehicle and Traffic Law; motocross or dirt bikes; dune buggies; go-carts; and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles.

Persons found to be operating off-road vehicles in City parks in violation of this section shall be subject to the same penalties as listed in §400-118 of the Code of the City of Binghamton. A violation of this section shall apply towards the escalation of penalties set forth in §400-118 for any future violations of either this section or §400-117(a) or (b).



# Legislative Branch

RL Number: 59  
Date Submitted: 3/20/24

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

Stephen Carson HUD Manager 6077727028  
(Print Name) (Title) (Phone number)

Signature: Date: ~~10/16/2023~~ 3/19/2024

### To Be Completed By Applicant

**Proposed Title:** AN ORDINANCE TO AMEND THE 2019 AND 2020 HUD ADMIN & HOUSING BUDGET FOR CONSOLIDATION OF UNUSED LINES FOR SPENDING ON HOUSING PROGRAM

**Executive Summary** (Explain why legislation is necessary): Reduce CD8760.535001.CVY45 (EDW Admin) by \$354.95, reduce CD8760.535003.CVY45 (EDW Rent Asst) by \$42,180.94, reduce CD8760.535003.CVY46 (EDW Rent Asst) by \$119,320, reduce CD8760.535004.CVY45 (Mort Asst) by \$212,518.09, reduce CD8760.535004.CVY46 (EDW Mort Asst) by \$100,000. Increase CD8760.535002.CVY46 (EDW Program) by \$474,373.98. This will consolidate unused CDBG-CV funding lines for a residential project.

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 \$474,373.98 Funds available in Budget Line Multiple Title Multiple

**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 checked="" 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: 2024

Department: HUD Administration & Housing  
Department Head Signature: [Signature]

Transfer from (Decrease)		Transfer to (Increase)	
Amount	Budget Line	Amount	Budget Line Title
\$ 354.95	CD8760.535001.CVY45 EDW Admin		
\$ 42,180.94	CD8760.535003.CVY45 EDW Rent Asst	\$ 474,373.98	CD8760.535002.CVY46 EDW Program
\$ 119,320.00	CD8760.535003.CVY46 EDW Rent Asst		
\$ 212,518.09	CD8760.535004.CVY45 EDW Mort Asst		
\$ 100,000.00	CD8760.535004.CVY46 EDW Mort Asst		
\$ 474,373.98		\$ 474,373.98	



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.

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

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter9, 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: \_\_\_\_\_





# Legislative Branch

RL Number: 60  
 Date Submitted: 3/20/24

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: 03/19/2021

### To Be Completed By Applicant

**Proposed Title:** A Resolution authorizing the Mayor to enter into an agreement with the First Ward Action Council for use of CVY45 and CVY46 CDBG funds in an amount not to exceed \$577,190 to support the development of affordable housing

**Executive Summary (Explain why legislation is necessary):** This funding will support the First Ward Action Council's proposed scatter-site project in the City of Binghamton creating approximately 37-39 units of quality affordable housing for low-income residents. Plans include renovation of blighted buildings and new construction.

Budget lines: CD8760.535006.CVY45, CD8760.535002.CVY46

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 First Ward Action Council Start/End Date \_\_\_\_\_

Total Cost Approx. \$14-15M Funds available in Budget Line See above Title \_\_\_\_\_

Public Hearing required? Yes  No  SEQRA required? Yes  No

Additional information related to this RL attached? Yes  No

OFFICE USE ONLY	
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: Empire State Development

Total project cost: \$20,000,000

Total amount of grant: \$3,000,000

Local match (if any): \$0

If local match is monetary, provide the budget line and title: \_\_\_\_\_

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

Disbursement of grant (upfront, reimbursable?): Reimbursable

Grant Budget Line: N/A

Grant project manager: Sarah Glose

Anticipated date of project completion: 2026

Special project completion requirements (if any): Per ESD requirements

**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:

The Restore NY Program administered by Empire State Development can only be awarded to municipalities. Municipalities then act as a pass through to a developer. This ensures alignment of awarded projects with municipal goals while sharing the responsibility of grant management between the municipality and the developer.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**Empire State  
Development**

### Intent to Apply for Restore NY Funding

If a Municipality is intending to apply for Restore NY funding, this form must be submitted by the leading municipal official. Please submit this form by Monday March 25th at 5pm. All municipalities are eligible to submit two letters of intent for normal projects. Eligible municipalities can also submit one additional letter of intent for a special project as defined in Section 7 of the guidelines. Please document on the Intent to Apply forms if it is for a special project or not.

Applications from municipalities that do not submit this form will not be accepted.

The contact person listed below will receive two emails after submitting this form:

1. A confirmation email, including a link to upload additional properties, if applicable.
2. An email from DocuSign with a link to electronically sign this completed form.

It is the responsibility of the municipality to ensure that the Letter of Intent has been received by ESD. If an e-mail confirmation notice is not received via email, please contact ESD at (518) 292-5200.

#### MUNICIPALITY INFORMATION

Municipality Name:	City of Binghamton		
Street Address: (not PO Box)	38 Hawley Street		
Apt/Suite/Office:			
City:	Binghamton	State:	NY
		Zip:	13901
County:	Broome		
Type of Municipality:	<input type="radio"/> County	<input checked="" type="radio"/> City	<input type="radio"/> Town
		<input type="radio"/> Village	

#### PRIMARY CONTACT INFORMATION (Officer with legal authority to represent the municipality)

First Name:	Jared	Last Name:	Kraham
Title:	Mayor	Phone:	(607) 772-7001
Email:	jmkraham@cityofbinghamton.gov		

How many letters of intent are you submitting for REGULAR PROJECTS?	<input type="radio"/> 0	<input type="radio"/> 1	<input checked="" type="radio"/> 2
How many letters of intent are you submitting for SPECIAL PROJECTS?	<input checked="" type="radio"/> 0	<input type="radio"/> 1	

In the section below, provide a brief project description that includes how the project meets Restore NY goals (e.g., that the project will demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings). The description should include the size of the project (e.g., number of and square feet of building(s) in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words. **Please see below to enter information for the project and included properties that will be the subject of the application. If the project has more than five properties, please fill out the first five. The contact entered above will be prompted via email to submit the remaining properties following submission of this form. You may not submit an application for a project that was not the subject of an approved letter of intent.**

**PROJECT INFORMATION**

Is this a special project?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Name of Project:	1 North Depot Street Renovation	
Estimated Project Cost:	\$ 20000000	Estimated Restore NY Request: \$ 3000000
Development Company:	M. B. Yonaty Development, LLC	
Number of Properties: 1		
Brief Project Description		
<p>M. B. Yonaty Development, LLC will revitalize a currently blighted and vacant historic building located in Binghamton's Railroad Historic District — one of four National Register Historic Districts in the city. The mixed-use project will provide up to 5,000 SF of commercial/retail space and up to 40 apartments. The project site is located in an Opportunity Zone and Restore NY funding will leverage private investment and historic tax credits to assist in the completion of the \$20 million project. The project will advance downtown revitalization and is a strategic community investment in its capacity to attract</p>		

**PROPERTY 1**

Street Address: (not PO Box)	1 N. Depot Street		
Suite/Office:			
City:	Binghamton	State:	NY
		Zip:	13901
Current Zoning:	Mixed Use	Future Zoning:	Mixed Use

**PROPERTY 2**

Street Address: (not PO Box)			
Suite/Office:			
City:		State:	
		Zip:	
Current Zoning:		Future Zoning:	

**PROPERTY 3**

Street Address: (not PO Box)			
Suite/Office:			
City:		State:	
		Zip:	
Current Zoning:		Future Zoning:	

**PROPERTY 4**

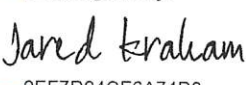
Street Address: (not PO Box)			
Suite/Office:			
City:		State:	
		Zip:	
Current Zoning:		Future Zoning:	

## PROPERTY 5

Street Address: (not PO Box)			
Suite/Office:			
City:	State:	Zip:	
Current Zoning:	Future Zoning:		

Note: If more than 5 properties are included in this project, you will receive an email to enter additional information once this form is submitted.

## SIGNATURES

Name:	Jared Kraham
Signature:	DocuSigned by:  <small>9EF7D94CF6A74D0...</small>
Title:	Mayor
Date:	3/21/2024

By clicking on the "Submit" button you are affirming your legal authority to represent the municipality referenced in this application seeking funding. If your municipality is awarded any such funds through this process, you agree to the terms and conditions outlined in this application and its guidelines for acceptance and use of these funds.



## Section 4 – Funding Proposal Instructions

If the Municipality intends to apply for Restore NY funding, an Intent to Apply form must be submitted by the chief executive of the municipality by **March 25th, 2024** (see Section 1). All municipalities are eligible to submit two letters of intent for normal projects and one additional letter of intent for a special project, if eligible. **Applications from municipalities that do not submit an Intent to Apply form will not be accepted.**

Following receipt of the Intent to Apply Form, the contact entered on that form will receive an email from ESD with an eligibility determination. The applicant will then need to proceed to the Restore NY website to access the link to the CFA application as well as the Property Data Sheet.

Use of the State's Consolidated Funding Application (CFA) online portal is required. This application portal will collect all necessary information for the Restore NY application.

**CONSOLIDATED FUNDING APPLICATION**

HELP PRINT PAGE REGIONAL ECONOMIC DEVELOPMENT COUNCILS CFA PROJECT INFO

**WELCOME**

As part of New York's efforts to improve the business climate and expand economic growth, the NYS Consolidated Funding Application (CFA) was created to support the Regional Economic Development Council (REDC) Initiative. The CFA has streamlined and expedited the grant application process marking a fundamental shift in the way state resources are allocated, ensuring less bureaucracy and greater efficiency to fulfill local needs. The CFA allows applicants to access multiple state funding sources through one application, making the process quicker, easier, and more productive.

As statewide programs and local needs have evolved, so has the CFA which is now host to a multitude of programs and initiatives. These programs change throughout the year so be sure to check back periodically to see what programs are available.

To proceed with your CFA, please use the **Log In** or **Register** buttons.

**\*New - Cloning an Application\***

To save time you can now clone an application from the previous year.  
[Click here to learn how.](#)

Log In

Register

The Restore NY Application must be certified by the leading municipal official that it is complete, true, and accurate. Incomplete applications will not be considered. However, ESD, at its sole discretion, reserves the right to accept minor amendments and additions to this application.

The following documents must be included with your application:

- Property Data Sheet for each property
- Project Proposal from lead entity conducting project
- Credentials and Qualifications/Resume of lead entity conducting project
- Site Map with each property clearly marked
- Letter from local planning/zoning officials stating project is compatible with local ordinances
- 3<sup>rd</sup> Party Project Cost Estimates
- 5 (five) years of Operating Pro Forma
- Letter of matching fund commitments
- Publication proof of Property Assessment List\*
- Publication proof of Notice of Public Hearing\*\*
- Municipal Resolution

\*A Property Assessment List (as defined in Section 7) must be published in a local daily newspaper either in print or online for three consecutive days. Where the proposed project is located in a municipality that has no publication that can reasonably be considered a "local daily newspaper," and a weekly publication is in print form only, ESD will accept publication of the Property Assessment List in the weekly publication for three consecutive weeks. Evidence of the publication must be included in the application. Acceptable documentation is: (1) photocopies of all three advertisements showing the dates of publication; and/or (2) a signed receipt from the newspaper. **Please note: The Property Assessment List is no longer a separate document and is now in the Consolidated Funding Application (CFA).** Publications must include all information captured in the Property Assessment List, but this information does not need to be in chart form.

**\*\*A public hearing must be held to discuss the Restore NY application and the Property Assessment List. Proof of the publication of the Notice of a Public Hearing to discuss the Restore NY application and the Property Assessment List must be included in the application.**

Individual properties must be bundled into a definable "project" (as defined in Section 7). The project may include the demolition, deconstruction, rehabilitation, and/or reconstruction of a building or group of buildings that furthers the goals of revitalizing a rural or urban center, encouraging commercial investment, or adding value to the local housing stock. To constitute a coherent and cohesive project, a group of properties shall be selected because their revitalization is inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan. A site map must be included for each project clearly identifying all targeted properties. If the buildings are not proximate to each other, an explanation of their strategic interrelationship should be included in the letter of intent and application.

All municipalities may apply for one project subject to the normal limits defined in Section 5. In addition, however, eligible municipalities may also compete for one of a very limited number of special project awards to be made statewide. **Special projects with funding requests under the normal project funding cap will not be considered.**

Individual Property Data Sheets and budgets must be completed for each property submitted. Attach a photograph of the building façade for each property. Complete the Site Control Affidavit for non-municipally owned properties.

**The legislative body of the local municipality that maintains land use control over the proposed project site must pass a resolution finding that the proposed project is consistent with the municipality's local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable. A true and complete copy of the resolution must be included in the application.**



## Sample Language for Required Documents

\*This language is for reference and is in no way required for documentation. Please feel free to use as much or as little of this as you like\*

### **Property Assessment List Public Posting:**

Must be published for three consecutive days and must include the information from the Property Assessment list. This does NOT need to be in chart form. You may write the information out, much like below.

*The [MUNICIPALITY] intends to seek grant funding under the Restore NY Communities Initiative to facilitate revitalizing urban and rural areas, disadvantaged communities, and stabilizing neighborhoods. Pursuant to the requirement of the grant application, a description of the location, size, and nature of each property, whether the property is proposed to be demolished, deconstructed, rehabilitated, or reconstructed, and the status of the property is as follows: [PROPERTY ASSESSMENT LIST INFO – ex. “101 Main St, 70,000 square feet, vacant commercial property, proposed for demolition”] (Repeat for each property included in the application)*

### **Public Hearing Public Posting:**

Must be published for one day and include all relevant information on where/when/how to access the meeting. It must also state that the meeting will discuss the Restore NY application.

*The Common Council of [MUNICIPALITY] has scheduled a public hearing for [DATE] at [TIME] in [LOCATION]. The purpose of the hearing is to obtain citizens’ views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This project includes [PROJECT DESCRIPTION, ETC.]*

### **Public Hearing + Property Assessment List Combo Public Posting:**

You MAY do the public hearing and property assessment public posting in ONE posting. It would then need to run for three consecutive days. If combined, it would look something like the below.

*The Common Council of [MUNICIPALITY] has scheduled a public hearing for [DATE] at [TIME] in [LOCATION]. The purpose of the hearing is to obtain citizens’ views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This project includes [PROJECT DESCRIPTION, ETC.]. The following properties will be submitted for consideration: [PROPERTY ASSESSMENT LIST INFO – ex. “101 Main St, 70,000 square feet, vacant commercial property, proposed for demolition”] (Repeat for each property included in the application)*





**Municipal Resolution:**

Please keep in mind this does NOT NEED TO BE THE EXACT WORDING. This is for reference ONLY.  
Please complete the municipal resolution however your municipality would normally go about this.

”  
*WHEREAS the [MUNICIPALITY] is eligible for grant funding under Round [#] of the Restore NY Communities Initiative Municipal Grant Program, and*

*WHEREAS the City Council has considered proposals that qualify for funding under the program and selected one project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:*

*Redevelopment of [PROPERTY], [PROPERTY ADDRESS]. The project will [ACTIVITY - ex. “renovate a vacant and abandoned 50,000 square foot property into a mixed-use building containing three shops for commercial use on the first floor, and 12 market rate apartments on the upper floors”].*

*WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in [MUNICIPALITY].*

*NOW THEREFORE BE IT RESOLVED that the City Council hereby supports and will sponsor an application for Restore NY funding for [PROPERTY], [PROPERTY ADDRESS] and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and*

*BE IT FURTHER RESOLVED that the City Manager is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application*

**Suggested Language (Notice of Public Hearing/Property Assessment List)**

The City of Binghamton has scheduled a public hearing for [DATE] at [TIME] in [LOCATION]. The purpose of the hearing is to obtain citizens' views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This project includes the rehabilitation of the historic property into a mixed-use facility including commercial/retail space and up to 40 apartments. The following properties will be submitted for consideration: 1 N Depot St. 13901 (parcel ID 160.25-2-20.2), 40,980 square feet, vacant mixed-use property, proposed for rehabilitation.

**Suggested Language (Public Hearing):**

AUTHORIZATION TO SET A PUBLIC HEARING IN CONNECTION WITH AN APPLICATION FOR RESTORE NY GRANT FUNDING

WHEREAS, this Council is advised of the proposed submission of a Restore NY program application for up to \$3 Million to support the 1 N. Depot Street project; and

WHEREAS, these Restore NY grant funds will support the historic property's rehabilitation into a mixed-use facility with commercial/retail space and up to 40 apartments; and

WHEREAS, it is necessary that a public hearing be held to hear public comment in regards to this application and the Property Assessment List; now, therefore, be it

RESOLVED, that the Mayor is authorized to execute all documents and certifications required as part of the submission of the application; and, be it further

RESOLVED, a Public Hearing will be held by the City Council on **<DATE> at <TIME> in <LOCATION>** for the purpose of hearing public comment on the aforesaid application for grant funding.

---



**Suggested Language (Municipal Authorization Resolution):**

**AUTHORIZATION TO SUBMIT AN APPLICATION FOR FUNDING FROM EMPIRE STATE  
DEVELOPMENT CORPORATION RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 8**

WHEREAS, the Restore New York Communities Initiative provides municipalities with financial assistance for revitalization of commercial and residential properties. The program encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures; and

WHEREAS, the City of Binghamton is eligible to apply for such funding in Round 8 in an amount not to exceed \$3,000,000; and

WHEREAS, the City Council has determined that such funding should be used to assist in the proposed 1 N. Depot Street project. The proposed rehabilitation of the historic property into a mixed-use facility including commercial/retail space and up to 40 apartments is consistent with the City's goals and plans, the financing proposed for the project is appropriate, and the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign and submit the Restore New York Round 8 application for consideration; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign all agreements, certifications and other documents required to complete the application and to accept grants and administer the programs that are proposed for this funding.

Dated:



# Legislative Branch

RL Number:
<u>24-72</u>
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

Jared M. Kraham	Mayor	607-772-7001
<i>(Print Name)</i>	<i>(Title)</i>	<i>(Phone number)</i>

<b>Signature:</b> _____	<b>Date:</b> 04/03/2024
-------------------------	-------------------------

### To Be Completed By Applicant

**Proposed Title:** A RESOLUTION IN SUPPORT OF BROOME COUNTY'S APPLICATION FOR FUNDING FROM EMPIRE STATE DEVELOPMENT CORPORATION RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 8

**Executive Summary** *(Explain why legislation is necessary):* The Restore NY program requires a municipal resolution from the community in which a County application is being submitted. Details related to the project are 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:** 05/08/2024

**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

<b>OFFICE USE ONLY</b>					
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"/>

FWAC Project Sites/Description

Address	City	State	Zip	Tax Map	Project	Type	Current Zoning	Future Zoning
242 Front Street	Binghamton	NY	13905	144.80-3-16	Rehab	Apartment	Residential	Residential
251 Front Street	Binghamton	NY	13905	144.80-2-30	Reconstruction	Apartment	Residential	Residential
274 Front Street	Binghamton	NY	13905	144.80-3-5	Rehab	Apartment	Mixed-use	Mixed-use
276 Front Street	Binghamton	NY	13905	144.80-3-4	Rehab	Apartment	Mixed-use	Mixed-use
241 Front Street	Binghamton	NY	13905	144.80-2-35	Rehab	Apartment	Residential	Residential
20 Winding Way	Binghamton	NY	13905	144.80-2-40	Rehab	Single-family	Residential	Residential
27 Dickinson Street	Binghamton	NY	13905	160.24-1-46	Rehab	Apartment	Residential	Residential
10 Mather Street	Binghamton	NY	13905	160.31-1-43	Rehab	Apartment	Residential	Residential
41 Clinton Street	Binghamton	NY	13905	160.23-2-31	Reconstruction	Apartment	Residential	Residential
							Commercial	Mixed Use

First Ward Action Council will rehab/reconstruct 9 properties in the City of Binghamton to create up to 37 housing units. These properties include current single family/two-family homes which are vacant and current vacant lots. In line with the goals of the Restore NY Program, First Ward Action Council aims to turn these unused spaces into affordable housing units. This investment in housing will further invigorate the community and attract more people to the neighborhood. 41 Clinton Street will also include 3,000 sf of commercial space on the ground floor.



## Section 4 – Funding Proposal Instructions

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Following receipt of the Intent to Apply Form, the contact entered on that form will receive an email from ESD with an eligibility determination. The applicant will then need to proceed to the Restore NY website to access the link to the CFA application as well as the Property Data Sheet.

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**CONSOLIDATED FUNDING APPLICATION**

HELP PRINT PAGE REGIONAL ECONOMIC DEVELOPMENT COUNCILS CFA PROJECT INFO

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To save time you can now clone an application from the previous year.  
[Click here to learn how.](#)

[Log In](#)

[Register](#)

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The following documents must be included with your application:

- Property Data Sheet for each property
- Project Proposal from lead entity conducting project
- Credentials and Qualifications/Resume of lead entity conducting project
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- 3<sup>rd</sup> Party Project Cost Estimates
- 5 (five) years of Operating Pro Forma
- Letter of matching fund commitments
- Publication proof of Property Assessment List\*
- Publication proof of Notice of Public Hearing\*\*
- Municipal Resolution

\*A Property Assessment List (as defined in Section 7) must be published in a local daily newspaper either in print or online for three consecutive days. Where the proposed project is located in a municipality that has no publication that can reasonably be considered a "local daily newspaper," and a weekly publication is in print form only, ESD will accept publication of the Property Assessment List in the weekly publication for three consecutive weeks. Evidence of the publication must be included in the application. Acceptable documentation is: (1) photocopies of all three advertisements showing the dates of publication; and/or (2) a signed receipt from the newspaper. **Please note: The Property Assessment List is no longer a separate document and is now in the Consolidated Funding Application (CFA).** Publications must include all information captured in the Property Assessment List, but this information does not need to be in chart form.

\*\*A public hearing must be held to discuss the Restore NY application and the Property Assessment List. Proof of the publication of the Notice of a Public Hearing to discuss the Restore NY application and the Property Assessment List must be included in the application.

Individual properties must be bundled into a definable "project" (as defined in Section 7). The project may include the demolition, deconstruction, rehabilitation, and/or reconstruction of a building or group of buildings that furthers the goals of revitalizing a rural or urban center, encouraging commercial investment, or adding value to the local housing stock. To constitute a coherent and cohesive project, a group of properties shall be selected because their revitalization is inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan. A site map must be included for each project clearly identifying all targeted properties. If the buildings are not proximate to each other, an explanation of their strategic interrelationship should be included in the letter of intent and application.

All municipalities may apply for one project subject to the normal limits defined in Section 5. In addition, however, eligible municipalities may also compete for one of a very limited number of special project awards to be made statewide. **Special projects with funding requests under the normal project funding cap will not be considered.**

Individual Property Data Sheets and budgets must be completed for each property submitted. Attach a photograph of the building façade for each property. Complete the Site Control Affidavit for non-municipally owned properties.

**The legislative body of the local municipality that maintains land use control over the proposed project site must pass a resolution finding that the proposed project is consistent with the municipality's local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable. A true and complete copy of the resolution must be included in the application.**





# Legislative Branch

RL Number: <u>RL 24-73</u>
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 607-772-7001  
 (Print Name) (Title) (Phone number)

Signature: \_\_\_\_\_ Date: 04/02/2024

### To Be Completed By Applicant

**Proposed Title:** Bond Ordinance for the Improvements of the TPS (Terminal Pump Station) at the Joint Sewage Treatment Plant  
 \_\_\_\_\_  
 \_\_\_\_\_

**Executive Summary (Explain why legislation is necessary):** This project is a joint vendor with our partner Village of JC the City's portion is 54.8% and Village 45.2%. All cost of the project will be shared with all users of the system through the billing process.  
 \_\_\_\_\_  
 \_\_\_\_\_

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

<b>OFFICE USE ONLY</b>	
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"/>



# 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

April 1, 2024

City of Binghamton, New York  
\$3,836,000 Bonds for Terminal Pumping Station Joint Project  
(Our File Designation: 5040/47464)

---

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 April 24, 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

April 24, 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 April 24, 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: April 24, 2024

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

Introduced by Committee: Finance

**ORDINANCE**

*Entitled*

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED APRIL 24, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

Recital

WHEREAS, the Council of the City of Binghamton (the "City") recognizes the need to construct improvements and upgrades to the Terminal Pumping Station jointly owned by the City (54%) and the Village of Johnson City (45.2%) (the "Village");



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

Date: April 24, 2024

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, is hereby authorized to construct improvements and upgrades to the Terminal Pumping Station jointly owned by the City and the Village. The estimated total cost of the foregoing, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,000,000. The amount of \$3,836,000 is hereby appropriated by the City to pay the City's local share of such cost, such appropriation having been authorized by the Council pursuant to Ordinance No. \_\_\_\_\_. The plan of financing includes the issuance of \$3,836,000 bonds of the City to finance the amount appropriated to pay the City's local share of such cost, 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. Sewer rents have been imposed in the City pursuant to the City Charter and it is expected that such rents will continue to be imposed and collected by the City and the amounts derived therefrom shall be budgeted and used as an offset to the taxes to be levied and collected. The \$3,164,000 balance of the cost of the project is to be paid by the Village's expenditure of \$3,164,000 Village funds to pay the Village's local share of the cost of the project, which amount is expected to be financed by the issuance of \$3,164,000 bonds of the Village. All or part of the cost of the project may be financed through the New York State Environmental Facilities Corporation (EFC) State Revolving Fund (SRF) and/or grants, and any authorized officer of the City is hereby authorized to submit an application and perform any other acts necessary to

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

Date: April 24, 2024

arrange for such financing. Any grant funds received by the City and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the City's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$3,836,000 are hereby authorized to be issued 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 "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the bonds herein authorized, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

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,

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

Date: April 24, 2024

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.



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

Date: April 24, 2024

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.

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

Date: April 24, 2024

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

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

Sponsored by City Council Members:

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED APRIL 24, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; 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.

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 April 24, 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 April 24, 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: April 24, 2024

SARAH DINHOFER  
City Clerk, City of Binghamton, New York

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED APRIL 24, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

The object or purpose for which the bond are authorized is to construct improvements and upgrades to the Terminal Pumping Station jointly owned by such City and the Village of Johnson City.

The total amount of obligations authorized to be issued by the City is not to exceed \$3,836,000. The \$3,164,000 balance of the cost of the project is to be paid by the Village's expenditure of \$3,164,000 Village funds to pay the Village's local share of the cost of the project, which amount is expected to be financed by the issuance of \$3,164,000 bonds of the Village.

The period of probable is forty (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: April 24, 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 APRIL 24, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,"

was adopted on April 24, 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



# 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: Billie Goodson 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 \_\_\_\_\_, 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

<b>OFFICE USE ONLY</b>					
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"/>



v1.1 BINGHAMTON JOHNSON CITY JOINT SEWAGE TREATMENT PLANT  
SUMMARY OF 2023 BILLING

3/28/2024

2023

	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023
	100CUFT	Est.FINAL BILLING	CREDIT FOR COSTS PAID	EST BILLINGS PAID ON ACCT.	BALANCE OR (CREDIT) DUE	NET BILLING	prepay JE					
CITY OF BINGHAMTON	1,481,983	\$8,490,517.72	\$ 8,359,469.51	\$ 2,680,100.00	(\$2,549,051.79)	\$ 131,048.22	(\$2,166,694.02)					
SUNY AT BINGHAMTON	173,386	\$993,356.14	-	1,110,836.00	(\$117,479.86)	\$ 993,356.14	(\$99,857.88)					
TOWN OF VESTAL												
BING SERVICE AREA	186,195	\$1,066,740.95										
JC SERVICE AREA	<u>222,922</u>	<u>\$1,436,328.80</u>										
SUB-TOTAL	409,117	\$2,503,069.75		3,171,188.00	(\$668,118.25)	\$ 2,503,069.75	(\$567,900.51)					
TOWN OF BINGHAMTON	51,260	\$334,219.30		433,404.00	(\$99,184.70)	\$ 334,219.30	(\$84,307.00)					
TOWN OF DICKINSON												
BING SERVICE AREA	81,939	\$534,248.84										
JC SERVICE AREA	<u>33,730</u>	<u>\$244,006.53</u>										
SUB-TOTAL	115,669	\$778,255.37		978,652.00	(\$200,396.63)	\$ 778,255.37	(\$170,337.14)					
VILLAGE OF PORT DICKINSON	35,927	\$234,246.91		298,028.00	(\$63,781.09)	\$ 234,246.91	(\$54,213.93)					
TOWN OF FENTON	13,177	\$85,915.09		92,300.00	(\$6,384.91)	\$ 85,915.09	(\$5,427.17)					
TOWN OF KIRKWOOD	268,545	\$1,750,934.88		2,272,208.00	(\$521,273.12)	\$ 1,750,934.88	(\$443,082.15)					
TOWN OF UNION	69,833	\$505,179.60		550,492.00	(\$45,312.40)	\$ 505,179.60	(\$38,515.54)					
VILLAGE OF JOHNSON CITY	455,982	\$2,937,978.66	6,223,256.24	(2,939,480.00)	(\$345,797.58)	\$ (3,285,277.58)	(\$293,927.94)					
TOWN OF CONKLIN	37,776	\$253,857.74		362,908.00	(\$109,050.26)	\$ 253,857.74	(\$92,692.72)					
TOTALS	3,112,655	\$18,867,531.16	\$ 14,582,725.74	\$ 9,010,636.00	(\$4,725,830.58)	\$ 4,284,805.42	(\$4,016,955.99)					

Paid on Account