



RL Number: _____

Date Submitted: _____

Legislative Branch

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

INTERNAL 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

Kent Drake-Deese
(Name)

Director of Personnel & Safety
(Title)

(607) 772-7067
(Phone number)

Additional Presenters:

Chuck Robinson

To Be Completed By Applicant

Proposed Title:

Transfer funds from Admin. Assistant position in Engineering to Civil Service and Personnel Assistant position in Personnel.

Executive Summary (Explain why legislation is necessary):

Amend the 2024 Engineering Budget by reducing A1440.51000 (PERS SRVS-ADMINISTRATIVE ASSITANT) by \$33,054.02 and increasing A1430.51000 (PERS SRVS-CIVIL SERVICE AND PERSONNEL ASSISTANT) by \$33,054.02. RL24-14 dated January 1, 2024 erroneously resulted in the funding for the Civil Service and Personnel Assistant position to be transferred to Engineering to fund the Senior Account Clerk position. The Senior Account Clerk position should have been funded via a transfer from the Engineering Administrative Assistant to the Engineering Senior Account Clerk.
Effective Date (if applicable):

Budget transfer or amendment: RL Budget Transfer Worksheet **must** be attached w/ Department. Head signature.
RL related to a grant: RL Grant Worksheet **must** be attached.

RL related to previously adopted legislation: Perm. Number: 024-07

Adoption Date: 2/7/24

Contract: Person/Company:

Total Cost: \$0.00

Funds available in Budget Line: A1440.51000

Title: Personal Services

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:

For Internal Use Only

Mayor: _____

Comptroller: _____

Corp. Counsel: _____



RL Number: _____ Date Submitted: _____

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Applicant Presenting RL at Work Session

Ronald B. Lake, P.E. City Engineer (607) 772-7007
(Name) (Title) (Phone number)

Additional Presenters:

To Be Completed By Applicant

Proposed Title:

Chenango River Levee bat Survey

Executive Summary (Explain why legislation is necessary):

Provide technical bat acoustic survey following the United States Fish and Wildlife Service(USFWS) guide lines.

Effective Date (if applicable): 7/16/24

Budget transfer or amendment: RL Budget Transfer Worksheet must be attached w/ Department. 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: Pete Nix, P.E. / Tetra Tech

Total Cost: \$13,670.00

Funds available in Budget Line: \$ 38,023.08

Title: Technical Services

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:

The NYSDEC advised us that we needed a bat survey while construction bid documents were being finalized. The bids are scheduled to be returned on August 14,2024 followed with an award and construction in 2024.

For Internal Use Only

Mayor: _____ Comptroller: _____ Corp. Counsel: _____



July 14, 2024

Ronald B. Lake, PE, Fellow ASCE, Rev.
City Engineer/Project Manager WWTP Renovations
Engineering Department
38 Hawley Street, City Hall
Binghamton, New York 13901

Re: Bat Survey Proposal
Chenango Trail Levee Raising

Dear Mr. Lake:

This letter presents our proposal to perform the bat survey for the referenced project. The scope of the work is attached to this letter as well as the cost for our environmental group to perform the bat survey and report. I've added 4 hours of my time for management of the work. The resulting proposal fee is \$13,670, as shown below:

Project Management	4 hours @ \$280.00/hour	=	\$1,120
Bat Survey and Report	1 @ \$12,550 (see attached)	=	<u>\$12,550</u>
			Total \$13,670

Thank you for considering us to perform the work. Please let us know if you have any questions or require any additional information.

Sincerely,

A handwritten signature in blue ink that reads 'Pete Nix'.

Pete Nix
Senior Program Manager

July 11, 2024

Pete Nix
Senior Project Manager
Tetra Tech
2800 Corporate Exchange Drive, Suite 360
Columbus, OH 43231

Re: Proposal for Acoustic Bat Surveys for the Chenango River Levee Raising, Binghamton, New York

Dear Mr. Nix:

Tetra Tech, Inc. (Tetra Tech) is pleased to provide this scope of work (SOW) to support Tetra Tech WTR with the technical acoustic bat surveys for the City of Binghamton during 2024 at their levee raising project. This SOW and cost estimate addresses development of study plan, presence/absence acoustic survey, acoustic analysis, reporting, and USFWS spreadsheet.

SCOPE OF SERVICES

Tetra Tech CES presents for your consideration our proposal to provide technical bat acoustic surveys following the USFWS survey guidelines during the survey season of 2024.

Northern Long-eared Bat Presence/Absence Survey

Survey Plan Development/Habitat Assessment/Agency Coordination

Based on desktop review, Tetra Tech confirmed that the Project Area is located within the seasonal range of the endangered northern long-eared bat (*Myotis septentrionalis*; NLEB) and proposed endangered tricolored bat (*Perimyotis subflavus*; TCB) and the designated white-nose syndrome zone. Since some tree clearing is expected as part of the construction activities for the Project, a presence/absence survey for NLEB/TCB will be required to be completed within the Project Area in accordance with the latest U.S. Fish and Wildlife Service (USFWS) Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines (Guidelines)¹, which have also been approved for TCB. This survey will utilize a two-phased approach: Phase 1–desktop and field-based habitat assessments, and Phase 2–field-based habitat ground-truthing and acoustic surveys.

A study plan form will be generated and submitted to USFWS for review and approval. Tetra Tech will use the new fillable study plan form provided in the USFWS Guidelines. The study plan must be reviewed and approved by USFWS before they will accept the survey results. Tetra Tech will participate in one consultation meetings and coordinate with the USFWS New York Regional Field Office on the survey.

¹ U.S. Fish and Wildlife Service (USFWS). 2024. Range-Wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines. March 2024. Available online at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>. Accessed July 2024.

Presence/Absence Survey

The acoustic survey will utilize full-spectrum Wildlife Acoustics bat detectors. Acoustic surveys will be performed in 2024 within the protocol sampling window (May 15–August 15) and in accordance with the Guidelines. According to USFWS Guidelines for a linear project, a minimum of 4 detector nights are required per 1 kilometer (km) of suitable habitat. Based on an initial desktop assessment, there is less than 1 km of proposed tree clearing; therefore, a minimum of 4 detectors nights will be needed to cover the Project Area.

Analysis and Reporting

Upon completion of the survey, recorded acoustic data will be analyzed in accordance with the Guidelines, which recommends a multi-stage approach to call analysis. The data will be run through a coarse filter analysis, followed by a quantitative analysis, and then a final qualitative analysis of the results will be performed by a qualified biologist. In accordance with the Guidelines, one or more of the approved analysis programs will be used for the quantitative analysis step. Tetra Tech will prepare a brief technical memorandum of the survey within 45 days of survey completion. Tetra Tech has provided time to respond to one set of draft and one set of prefinal comments.

Assumptions:

- The survey window for NLEB is May 15 to August 15, 2024. Tetra Tech will conduct surveys within this timeframe.
- The USFWS NY Regional Field Office must review and approve the survey plan prior to initiating field work for the results to be considered valid. The timing of the surveys will be based upon completion of the USFWS reviews.
- USFWS reporting spreadsheet are included in the cost estimate as they are a condition of the survey.
- Detectors may be out in the field longer than the minimum qualifying nights but only the necessary qualifying nights will be analyzed. Additional nights are not covered in the scope.
- All survey nights must meet USFWS survey requirements for weather.
- Any additional trips to the field due to vandalism and equipment malfunction are not included in this price.
- Tetra Tech will coordinate and follow all Health and Safety Standards following our terms and conditions.
- Tetra Tech assumes the client will obtain landowner permission and access to the site for the survey work.
- No consultations with the NY DEC regarding this survey are included in the estimate.
- No data uploads to the NA Bat Monitoring Portal.

Deliverables:

- Study plan submittal;
- Technical memo

SCHEDULE

Tetra Tech will complete the associated scope of services on an agreed upon timeline. The bat survey will take approximately one week and a technical memo will be prepared within 45 days of survey completion and data upload.

COSTS

The proposed costs to conduct the Scope of Services presented above will be completed on a time and materials basis.

Exhibit 1. Scope of Services Costs

Task	Cost
Acoustic Bat Survey	\$12,550
Time and Materials Cost	\$12,550

Tetra Tech CES appreciates the opportunity to propose professional technical services. Please contact Derek Hengstenberg at 207-358-2401 or derek.hengstenberg@tetrattech.com if you have any questions regarding this proposal.

Sincerely,

Derek Hengstenberg

Derek Hengstenberg
Senior Ecologist/Project Manager
Tetra Tech, Inc.



RL Number: _____

Date Submitted: _____

Legislative Branch

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Applicant Presenting RL at Work Session

Chuck Robinson
(Name)

Comptroller
(Title)

(607) 772-7011
(Phone number)

Additional Presenters:

To Be Completed By Applicant

Proposed Title:

A Resolution to adopt the record of activities for elected/appointed officials not working a standard work day

Executive Summary (Explain why legislation is necessary):

The few elected and appointed officials who do not work a standard workday and do not submit time sheets need to submit a log of activities as required by the NYSLRS.

Effective Date (if applicable):

Budget transfer or amendment: RL Budget Transfer Worksheet must be attached w/ Department. Head signature.
RL related to a grant: RL Grant Worksheet must be attached.

RL related to previously adopted legislation: Perm. Number: R22-95

Adoption Date: 12/7/22

Contract: Person/Company:

Total Cost:

Funds available in Budget Line:

Title:

Public Hearing required? Yes Not Applicable

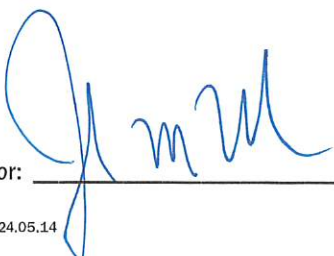
SEQRA required? Yes Not Applicable

Additional information related to this RL attached? Yes No

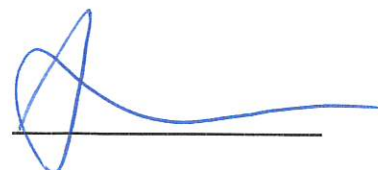
Expedition requested for this RL? Yes No

Please explain why expedition is necessary:

For Internal Use Only

Mayor: 

Comptroller: 

Corp. Counsel: 

Legal Counsel Approval BNJ

RL 22-274

example

Introductory No. R22-95

Permanent No. R22-95



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

Date: December 7, 2022

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

Introduced by Committee: Employees

RESOLUTION

entitled

**A RESOLUTION ADOPTING THE RECORD OF
ACTIVITIES FOR ELECTED AND APPOINTED
OFFICIALS**

WHEREAS, the Office of the New York State Comptroller requires that the governing body establish the Standard Work Day for reporting days worked to the New York State and Local Employee's Retirement System based on the time keeping system of the record of activities ("ROA") maintained and submitted by these members to the Clerk of this body; and

WHEREAS, the New York State and Local Employee's Retirement System Regulation for Reporting Time for Elected or Appointed Officials, Section 315.4, Record of Activities, (b)(5) Completion of the Standard Work Day and Reporting Resolutions, prescribes as a Standard Day for Elected or Appointed Officials equal to no fewer than six hours nor more than eight hours for each such Elected or Appointed Office or position for the purpose of calculating days worked for those who are enrolled in the New York State and Local Employee's Retirement System; and

WHEREAS, officials who begin a new or subsequent term of office are required to complete a three-month ROA and submit it to the secretary or clerk of the governing board within 30 days of completion; and

WHEREAS, a summary of the three-month ROA submitted by the City of Binghamton officials has been summarized on New York State and Local Retirement System (NYSLRS) Standard Work Day and Report Resolution Form RS 2417-A/B.

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

RESOLVE that the Council of the City of Binghamton hereby approves the ROA as presented on Form RS 2417-A/B and authorizes the Clerk to post form RS 2417-A/B for at least 30 days on the City of Binghamton website, the bulletin board at the entrance of City Hall at 38 Hawley Street, Binghamton, NY, and at the entrance of the City Clerk in accordance with the requirements of public notice established by the New York State and Local Retirement System.

Please type or print clearly
 in blue or black ink

Received Date

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

Employer Location Code

2 0 0 0 6

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

RS 2417-A

(Rev. 12/23)

BE IT RESOLVED, that the CITY OF BINGHAMTON / 20006 hereby established the following standard work days for these titles and will

(Name of Employer) (Location Code)

report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Nathan Hotchkiss	[REDACTED]	[REDACTED]	Council member	01/01/2024-12/31/2027	7	6.18	<input type="checkbox"/>	Bimonthly	<input type="checkbox"/>
Robert Cavanaugh	[REDACTED]	[REDACTED]	Council member	01/01/2024-12/31/2027	7		<input checked="" type="checkbox"/>	Bimonthly	<input type="checkbox"/>
Hadassah Matievetsky	[REDACTED]	[REDACTED]	Council Member	01/01/2024-12/31/2027	7		<input checked="" type="checkbox"/>	Bimonthly	<input type="checkbox"/>
Appointed Officials:									
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

I, _____ secretary/clerk of the governing board of the _____, of the State of New York,
(Name of Secretary or Clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the _____ day of _____, 20____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____ on this _____ day of _____, 20____.
(Name of Employer)

(Signature of Secretary or Clerk)

Affidavit of Posting: I, _____ being duly sworn, deposes and says that the posting of the Resolution began on _____

(Name of Secretary or Clerk)

_____ and continued for at least 30 days. That the Resolution was available to the public on the: _____

(Date)

Employer's website at: _____

Official sign board at: _____

Main entrance Secretary or Clerk's office at: _____

(seal)

Standard Work Day and Reporting Resolution

Just as hourly or salaried positions must have standard work days, elected and appointed officials must have them too.

Your governing board establishes standard work days by adopting and posting a Standard Work Day and Reporting Resolution for Elected and Appointed Officials (RS2417-A).

Here is a sample Resolution you can use as a guide. If you need help completing the RS2417-A, **You must adopt the Resolution at the first regular meeting held after a record of activities (ROA) is submitted,** or whenever a new elected or appointed office is established. Prior to presenting the Resolution to the governing board, you may submit a draft to NYSLRS for review to make sure it is completed correctly. You can email it to the Pension Integrity Bureau or fax it to them at 518-486-9577.

You must post the adopted Resolution on your public website for at least 30 days or, if a website isn't available to the public, on the official sign-board or at the main entrance to the clerk's office. The publicly posted copy must not reveal any part of an official's Social Security number or NYSLRS ID. The Resolution must remain available on the employer's public website or upon request after the posting ends.

A Resolution must be filed with the Office of the State Comptroller within 15 days after the posting period ends.

Reporting Elected and Appointed Officials

Overview

To make sure your employees receive the benefits they're due, you need to correctly report the time they work to NYSLRS. This presentation describes the specific requirements for calculating the number of days worked by elected and appointed officials.

These requirements apply to all elected and appointed officials who:

- Are members of NYSLRS; and
- Do *not* participate in a time-keeping system that either shows hours worked or tracks accruals used and confirms that full hours were worked.

If you have questions, we may have answered them already in our Frequently Asked Questions section. If not, you can use our help desk form and select "Reporting Elected and Appointed Officials" from the dropdown for assistance.

Reporting Requirements Changes (2015)

Regulation 315.4 of the New York Codes, Rules and Regulations (NYCRR) clearly defines the reporting process for elected and appointed officials and ensures they receive appropriate service credit. In August 2015, this regulation was revised for officials who begin a new or subsequent term on or after January 1, 2016.

Among other changes, the revised regulation sets out specific time frames for completing requirements such as an official's record of activities (ROA), and it establishes the employer's role in determining whether activities listed on an ROA are actually official duties of the position.

The chart below summarizes the 2015 revisions:

Previous Regulation	Amended Regulation
Elected and Appointed Officials	
Official did not need to attest to the accuracy of the ROA.	Official must sign the ROA to attest to its accuracy.
Regulation did not clearly address how frequently an official must/may submit an ROA.	<ol style="list-style-type: none"> 1. Official must submit a new ROA following a new or subsequent appointment or election. 2. Official may attest that a previous ROA is still valid for up to eight years. 3. Official should submit a new ROA if the previous ROA is not representative of their hours worked.
Governing Body	
Regulation did not address whether the governing body had the authority to determine whether activities are official duties of the position.	Regulation now states that the employer determines whether activities listed on the ROA are official duties of the position. If they are not, the employer excludes the activities and time from the calculation of average number of days worked per month.
Clerk or Secretary	
Employer had to include officials who participate in the employer's time-keeping system on the Standard Workday and Reporting Resolution (Resolution) and indicate their participation by checking the box that says "Participates in the Employer's Time-Keeping System."	Employer is no longer required to include officials who participate in the employer's time-keeping system on the Resolution.
Employer may omit NYSLRS registration numbers and Social Security numbers from the publicly posted Resolutions.	Employer must omit NYSLRS registration numbers and Social Security numbers from the publicly posted Resolutions.
Employer had to submit the Resolution to the State Comptroller within 45 days of the adoption of the resolution.	Employer must submit the Resolution to the State Comptroller within 15 days after the 30-day public posting period ends.
Employer had to keep copies of officials' ROA for ten years.	Employer must keep copies of officials' ROA for 30 years.

Standard Work Day and Reporting Resolution

Just as hourly or salaried positions must have standard work days, elected and appointed officials must have them too.

Your governing board establishes standard work days by adopting and posting a Standard Work Day and Reporting Resolution for Elected and Appointed Officials (RS2417-A).

Here is a sample Resolution you can use as a guide if you need help completing the RS2417-A. You must adopt the Resolution at the first regular meeting held after a record of activities (ROA) is submitted, or whenever a new elected or appointed office is established. Prior to presenting the Resolution to the governing board, you may submit a draft to NYSLRS for review to make sure it is completed correctly. You can email it to the Pension Integrity Bureau or fax it to them at 518-486-9577.

You must post the adopted Resolution on your public website for at least 30 days or, if a website isn't available to the public, on the official sign-board or at the main entrance to the clerk's office. **The publicly posted copy must not reveal any part of an official's Social Security number or NYSLRS ID.** The Resolution must remain available on the employer's public website or upon request after the posting ends.

A Resolution must be filed with the Office of the State Comptroller within 15 days after the posting period ends.

Rev. 5/22

Office of the New York State Comptroller
New York State and Local Retirement System

Filing the Resolution

You can use *Retirement Online* to electronically file the information that is listed on your Resolution Instead of mailing the paper form to NYSLRS. By submitting the information through *Retirement Online*, you are **certifying** the electronically transmitted data is a true and correct statement for each member reported.

To begin your online filing, sign in to *Retirement Online*. From your Account Homepage, under "I want to," click the 'Submit Resolution for Official' link.

If you do not have a username and password, work with your *Retirement Online* Contact and Security Administrators to receive access.

You can also mail a hard copy of the Resolution to:

NYSLRS
Attn: Pension Integrity Bureau
110 State Street
Albany, NY 12244

The hard copy must be certified by the board clerk or secretary, and it must include a raised seal and affidavit of posting.

Rev. 5/22

Record of Activities (ROA)

Some elected and appointed officials may participate in a time-keeping system that either shows hours worked or tracks accruals and confirms that full hours were worked. But, for those who don't, determining the number of days they've worked requires a different process. These officials who begin a new or subsequent term of office after January 1, 2016, are required to complete a three-month record of activities (ROA) within 150 days of the start of the term and submit it to the secretary or clerk of the governing board within 30 days of completion.

An elected or appointed official **is not** required to keep an ROA if:

- They are a retiree of NYSLRS or another New York State public retirement system;
- They are a Tier 1 member; or
- They are an employee whose membership in NYSLRS is optional and they have not joined NYSLRS.

Direct your elected and appointed officials to this schedule of due dates for the ROA if they need help figuring out what to do and when to do it.

Completing the Record of Activities

If there are questions about completing the ROA, our ROA Template may help.

The ROA must contain a daily detail of hours worked and duties performed that are directly related to the elected or appointed position. It must include the start and end time of each activity performed. The official may include duties performed outside normal business hours as long as they are work-related.

The official should extend the period of his or her ROA by the amount of time used for vacations, illness, holidays or other reasons during the three-month period, so that a full three months of active working days are reflected on the ROA. The official must sign the ROA attesting to its accuracy. Failure to complete an ROA will result in the suspension of membership benefits, including access to *Retirement Online*, receiving Member Annual Statements, tier reinstatements, requests for previous service credit, accrual of additional service credit, benefit estimates and pension benefits.

The governing board must review each entry listed on an ROA to determine whether the entries are appropriate. The board must exclude any duties that are not work-related from the calculation of the average number of days worked per month.

Appropriate Work Examples

- Answering constituent phone calls
- Attending municipality-sponsored events
- Discussing issues with constituents while out of the office
- Attending municipality board/committee meetings
- Preparing for municipality meetings
- Community activities in partnership with the municipality

Inappropriate Work Examples

- On-call time (unless called upon to perform a work-related activity)
- Attending campaign events
- Attending a political party rally/candidate forum
- Board and committee meetings for private organizations
- Socializing after legislative meeting
- Personal volunteer work
- Services not paid for by the municipality (for example, wedding ceremonies)

When to Complete a New Record of Activities

An ROA can be valid for up to eight years. If an official starts a new term and feels that a previous three-month ROA still represents his or her responsibilities and hours, the official may certify that in writing. Instead of a new ROA, that official should complete a Recertification of the Record of Activities form (RS2419) and submit it to the governing board within 180 days of beginning a subsequent term.

If an official believes the initial three-month ROA does not represent the average number of hours worked, he or she may submit a new ROA for an alternative three-month period. A new ROA is also necessary:

- If the number of hours worked changes; or
- When a new person is elected or appointed to the position.

Please note: ROAs do not generally need to be submitted to NYSLRS, *however*, the legislative clerk or secretary must retain ROAs and any subsequent recertifications for at least 30 years and provide full and complete copies to the Office of the State Comptroller upon request.

Rev. 5/22

Frequently Asked Questions

About the Regulation

1. What is an “appointed official?”
 2. Should elected or appointed officials, who are not paid, be reported on the Standard Work Day and Reporting Resolution?
 3. My part-time official works 4 hours a day. Is there a minimum standard work day?
 4. Can there be different standard work days for different officials?
 5. Are members of the New York State Legislature subject to the same reporting requirements as other elected officials, such as county clerks, sheriffs, district attorneys and town officials?
-

1. What is an “appointed official?”

For the purposes of the regulation, an “appointed official” is someone who is appointed by an elected official or governing board, holds an office (function or mandate) in an organization or government and participates in the exercise of authority (either their own or that of their superior and/or employer). This also includes appointees of elected officials such as deputies, assistants or confidential secretaries.

For example, if an elected official appoints a Chief Financial Officer, the Chief Financial Officer should be listed on the resolution as an appointed official. In addition, the Chief Financial Officer’s appointee, such as a Deputy Chief Financial Officer, should also be listed on the Resolution as an appointed official. However, individuals who are competitively appointed under the rules of the Civil Service system should not be considered appointed officials for the purposes of this regulation.

2. Should elected or appointed officials, who are not paid, be reported on the Standard Work Day and Reporting Resolution?

No. The requirements only apply to elected and appointed officials who are members of NYSLRS in paid status. For example, if a NYSLRS member serves as an unpaid board member, that individual should not be reported on the Resolution for that position.

3. My part-time official works four hours a day. Is there a minimum standard work day?

Yes. For Tier 2, 3, 4, 5 and 6 members, the minimum number of hours in a standard work day is six, while the maximum is eight.

4. Can there be different standard work days for different officials?

Yes. You can establish several standard work days for different positions. You can also establish several standard work days for the same title, depending on the job duties.

5. Are members of the New York State Legislature subject to the same reporting requirements as other elected officials, such as county clerks, sheriffs, district attorneys and town officials?

No. New York State employees — including members of the New York State Legislature — participate in a time-keeping system, so they aren’t subject to the additional reporting requirements of the regulation.

Rev. 5/22

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About the Standard Work Day and Reporting Resolution

Office of the New York State Comptroller
New York State and Local Retirement System

1. When does the governing board adopt a Standard Work Day and Reporting Resolution for Elected and Appointed Officials (RS2417-A)?
2. The elected members of the board of supervisors in our county receive compensation from us, but they get paid by the respective towns in the county, as well. Do these officials have to prepare and submit an ROA for the county and another ROA for the town? Would both the county and town have to pass Resolutions and submit separate forms?
3. For elected or appointed officials who are paid per diem (per call, case, meeting, etc.), how do you determine the number of days per month to record in the Days/Month (Based on Record of Activities) column of the Resolution and how are they reported on the monthly report submitted to NYSLRS?

1. When does the governing board adopt a Standard Work Day and Reporting Resolution for Elected and Appointed Officials (RS2417-A)?

The Resolution must be adopted at the first regular meeting held after a Record of Activities (ROA) has been submitted. In the event an official has not completed, signed and submitted an ROA, a Resolution must still be adopted within 180 days of an official taking a new or subsequent term of office. Be sure to include all officials, even if they have not submitted an ROA within the first 180 days from the start of their term.

2. The elected members of the board of supervisors in our county receive compensation from us, but they get paid by the respective towns in the county, as well. Do these officials have to prepare and submit an ROA for the county and another ROA for the town? Would both the county and town have to pass Resolutions and submit separate forms?

Yes, based on their own employment relationship with each town and county, the elected or appointed official must complete an ROA for three consecutive months within 150 days of the start of a new term or appointment for each place of employment. The official must then submit the ROA to the clerk or secretary of the governing board no later than 30 days after completion. Each employer (the county and the town) should comply with the new regulation independently, as if they were not aware of the employment arrangement with the other entity. Each would have to prepare and submit separate Resolutions.

3. For elected or appointed officials who are paid per diem (per call, case, meeting, etc.), how do you determine the number of days per month to record in the Days/Month (Based on Record of Activities) column of the Resolution and how are they reported on the monthly report submitted to NYSLRS?

Elected and appointed officials paid on a per diem basis often work an inconsistent number of days from pay period to pay period. Therefore, they require a special method for calculating the number of days worked per pay period. To determine these amounts, the member must either:

- Keep track of the time spent on each individual call, case, meeting, etc. and submit a time sheet for each pay-period. The employer should then divide the total number of hours worked during the report period by the established standard work day to determine the number of days worked to include on the monthly report.

or

- Keep a minimum of a three-month record of activities (ROA) to determine the average number of hours required per call. The employer should then multiply the number of calls they are paying the official for during the report period by the average number of hours required per call and then divide it by the established standard work day to determine the number of days worked to include on the monthly report.

While these officials are considered to be participating in the employer's time-keeping system, the ROA is used only to establish the number of hours required per call, not to establish an average number of days per month. Officials with this scenario are not required to be listed on the Resolution.

Example: A Coroner, with a six-hour standard work day, records 20 calls during the three-month ROA. The number of hours required to handle these calls totals 100. Divide the 100 hours by 20 calls to get an average of five hours per call. If the Coroner then performs 15 calls during a report period, the employer would

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multiply the 15 calls by the five-hour average, which equals 75 hours. Then divide the 75 hours by the six-hour standard work day. This results in 12.50 days to include on the monthly report.

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About Filing the Resolution

1. What if I make a mistake in my data entry after I've certified it?
2. Do I have to enter the information from the Standard Work Day and Reporting Resolution (Resolution) and certify it all at once or can it be saved?
3. I have signed in to *Retirement Online*, and I do not have the 'Submit Resolution for Official' link on my *Retirement Online* Account Homepage. What do I do?
4. What if I do not see all of the elected and appointed officials who are listed on the Resolution on the Elected and Appointed Official Resolution Search page?
5. Where do I find Resolution information that I previously submitted?
6. Why do you ask for the member's NYSLRS ID as well as the last four digits of his or her Social Security number?

1. What if I make a mistake in my data entry after I've certified it?

You cannot edit or delete information once you have certified it. If you need to correct previously submitted information, you should notify us using our help desk form (select "Reporting Elected and Appointed Officials" from the dropdown).

2. Do I have to enter the information from the Standard Work Day and Reporting Resolution (Resolution) and certify it all at once or can it be saved?

In *Retirement Online*, you add information from the Resolution and certify it one member at a time. You don't need to certify all the members listed on a Resolution at once.

3. I have signed in to *Retirement Online*, and I do not have the 'Submit Resolution for Official' link on my *Retirement Online* Account Homepage. What do I do?

This link is only accessible by staff with the board clerk or secretary contact types. Contact your *Retirement Online* Security Administrator to change your role. If your Security Administrator has questions, they can visit our Contact and Security Administrator Roles page.

4. What if I do not see all of the elected and appointed officials who are listed on the Resolution on the Elected and Appointed Official Resolution Search page?

Only employees who have job codes that designate them as elected or appointed are displayed on the Elected and Appointed Official Resolution Search page. If you have an employee who has been enrolled as a NYSLRS member, who should be appearing on this page, you can contact us for help correcting their job code. Use our help desk form and select "Reporting Elected and Appointed Officials" from the dropdown.

5. Where do I find Resolution information that I previously submitted?

You can find Resolution information for all your members on the Elected and Appointed Official Resolution Search page in *Retirement Online*. To access it, click the 'Submit Resolution For Official' link on your *Retirement Online* Account Homepage. Then, enter your location code, select a retirement system and click 'Search.'

6. Why do you ask for the member's NYSLRS ID as well as the last four digits of his or her Social Security number?

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Protecting personal information in our possession is one of our highest priorities. A member's NYSLRS ID is a unique number used only by NYSLRS. However, we also ask for the last four digits of the member's Social Security number in case you don't know the NYSLRS ID, or it is incorrect.

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About the Record of Activities

1. Our judges are on call every third weekend. Can they claim all of that time because they cannot do other things?
2. What do I do if an elected or appointed official refuses to submit an ROA? It's been more than 180 days since the official took office, and I still haven't received the official's record of activities.
3. What if an official takes a two-week vacation during the time period he or she is keeping a record of work-related activities?
4. What happens if someone is appointed mid-term as a replacement?
5. Most of our employees who are appointed officials already keep records showing their actual hours worked. Would they still be required to complete an ROA?
6. One of our appointed officials does not have a term of office. Can I leave the current term begin and end date column blank on the Resolution?
7. One of our elected town assessors, who also has a full-time job with another public employer, already receives full-time service credit from that employer. I report four days of credit each month for this individual. Does she need to prepare and submit an ROA to me since she's already receiving full-time credit?
8. How do I establish a standard work day for an official who participates in a time-keeping system?
9. Is travel time considered appropriate or inappropriate for an elected official's ROA?
10. Our tax collector works more hours from January through April than she does for the rest of the calendar year. What months should she use to complete her ROA?

1. Our judges are on call every third weekend. Can they claim all of that time because they cannot do other things?

No. On call time is not to be included on the ROA. They may only record the time actually spent performing a work-related activity.

2. What do I do if an elected or appointed official refuses to submit an ROA? It's been more than 180 days since the official took office, and I still haven't received the official's record of activities.

Employers should inform NYSLRS which officials have not submitted an ROA by either checking the "Not Submitted" checkbox on Standard Work Day and Reporting Resolution for Elected and Appointed Officials form (RS2417-A), or by sending us a letter with the official's name, registration number and term of office. Once notified, NYSLRS will write to the official, (and send a copy to the employer), informing him or her of the requirement to submit an ROA and the consequences of not submitting.

Continued refusal to submit an ROA will result in the suspension of membership benefits including estimates, tier reinstatements and requests for previous service credit. Since retirement credit can only be given for actual time worked, service credit accrued during the time for which there is no ROA would be excluded from the individual's pension benefit calculation.

Note: If an ROA is not submitted, there should be no days listed in the Days/Month (based on Record of Activities) column.

3. What if an official takes a two-week vacation during the time period he or she is keeping a record of work-related activities?

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The official should extend the period of his or her ROA by the amount of time used for vacations, illness, holidays or other reasons during the three-month period so that a full three months of active working days are reflected on the ROA.

4. What happens if someone is appointed mid-term as a replacement?

That person should complete a record of activities for three-consecutive months within 150 days of taking office. The employer must then adopt a Standard Workday and Reporting Resolution within 30 days of submission of the ROA.

5. Most of our employees who are appointed officials already keep records showing their actual hours worked. Would they still be required to complete an ROA?

No. Since these appointed officials already keep records showing their actual hours worked, they would not be required to keep a separate ROA; however, an average of a three-month time period should be listed on the resolution and used for reporting purposes.

6. One of our appointed officials does not have a term of office. Can I leave the current term begin and end date column blank on the Resolution?

No. All officials listed on the Resolution must have a specified "Term End Date." If the official does not have a designated term, use the current term of the official who appointed them to the position. If they are appointed by the governing board, use the begin and end dates of the chair of the board's term.

7. One of our elected town assessors, who also has a full-time job with another public employer, already receives full-time service credit from that employer. I report four days of credit each month for this individual. Does she need to prepare and submit an ROA to me since she's already receiving full-time credit?

Yes. Even though the elected assessor has a full-time job with another public employer where she already receives full-time service credit, she is still required to prepare and submit the three-month ROA for employment with your town.

8. How do I establish a standard work day for an official who participates in a time-keeping system?

The governing board can establish a standard work day for the position by board resolution or by completing the Standard Work Day Resolution for Employees (RS2418). The standard work day cannot be less than six hours or more than eight. For more information, visit our [Establishing the Standard Work Day](#) page.

9. Is travel time considered appropriate or inappropriate for an elected official's ROA?

That depends. If the elected official is traveling from his/her official work place or home to a meeting in another location, those hours can appropriately be counted as time worked. If, however, the elected official is traveling from his/her home to and from the official work place, those hours cannot be counted.

10. Our tax collector works more hours from January through April than she does for the rest of the calendar year. What months should she use to complete her ROA?

If an employee, like a tax collector, works all year round but has a busier season, he or she should keep an extended ROA. It can be up to a full year, or the ROA can, for example, cover two months during the busy season and two months of the less-busy season to get an accurate average.

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Received Date

Recertification of the Record of Activities

Please type or print clearly
in blue or black ink

RS 2419
(Rev. 09/18)

NYSLRS ID

--	--	--	--	--	--	--	--	--

Social Security Number [last 4 digits]

XXX-XX-

--	--	--	--

Retirement System [check one]

- Employees' Retirement System (ERS)
- Police and Fire' Retirement System (PFRS)

I, _____, certify that I completed a 3-month record of activities for the term that began _____ for my position as _____.

I attest that the record of activities maintained for the above named term is still representative of my hours worked and that my responsibilities have not substantially or materially changed. My current term begins on _____ and ends on _____.

Signature of Member

Date

Employer Location Code: _____

NOTE: A record of activities and any certification based upon such record shall not be valid for more than eight years from the date of the taking of office for which the record of activities was initially maintained.

Please keep this form on file in your records and submit a copy to NYSLRS only upon request.





RL Number: _____ Date Submitted: _____

Legislative Branch

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

PUBLIC 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
(Name)

Councilmember
(Title)

607-772-7236
(Phone number)

Additional Presenters:

To Be Completed By Applicant

Proposed Title: An Ordinance to amend City Code Chapter 26(6) D to align with Open Meetings Law 103(e)

Executive Summary (Explain why legislation is necessary): City Code regulations should align with Open Meetings Law regulations governing the posting of information before an open meeting:

"D. A digital copy of every proposed Local Law, Ordinance, or Resolution shall be available to the Mayor and City of Binghamton employees at least 24 hours prior to its inclusion as first read legislation. " will be changed to read

"D. A digital copy of every proposed Local Law, Ordinance, or Resolution shall be available to the Mayor and City of Binghamton employees to the extent practicable at least 24 hours prior to its inclusion as first read legislation. "

Effective Date (if applicable): 8/8/2024

Expedition Requested for this RL: NO

Please explain why expedition is necessary: N/A



RL Number: _____

Date Submitted: _____

Legislative Branch

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

INTERNAL 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

(Name) _____ (Title) _____ (Phone number) _____

Additional Presenters:

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/ Department. 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:

For Internal Use Only

Mayor: _____ Comptroller: _____ Corp. Counsel: _____

Proposal for 35-41 Charlotte Street
Privately Funded Micro Apartments



Proposed development - 36 Ultra Low Income Units

Request to Purchases

Parcel # 160.21-1-7

Parcel # 160.21-1-8

Parcel # 160.21-1-9

Parcel # 160.21-1-10

Project Overview: This proposal outlines a plan to develop an ultra low-income housing project in Binghamton, NY, consisting of 36 micro-units, each approximately 150 square feet. The project aims to provide affordable housing for individuals with limited income, addressing a critical need in the community.

Location: The proposed project site includes four city-owned parcels at 35, 37, 39, and 41 Charlotte Street, Binghamton, NY 13905. These parcels are currently zoned commercial but are adjacent to an R3 zone and have multi-family residences nearby. The location is ideal due to its close proximity to healthcare facilities, public transportation, grocery stores, and multiple public and private social work organizations within a mile. Today, these parcels are vacant lots with miscellaneous debris, making them prime candidates for redevelopment into productive community assets.

Project Details:

- **Number of Units:** 36 micro-units
- **Unit Size:** 150 square feet per unit
- **Unit Features:** Each unit will have its own front door, a small kitchen, and a bathroom.
- **ADA Compliance:** Two units on the first floor will be ADA compliant, and all 12 first-floor units should accommodate wheelchairs.

Rationale: The project addresses the high cost of housing and the state stipend of \$401 per month for the unhoused, which has remained unchanged for over 20 years. Given these constraints, creating small, efficient living spaces is the only viable solution to make the project financially feasible. The estimated construction cost is \$275 per square foot, and the small unit size allows us to meet these budgetary limitations while providing essential housing for those in need.

Design and Construction:

- **Construction Cost:** \$275 per square foot
- **Total Cost:** Based on the total square footage of the project.
- **Funding:** The project relies on private funding without grants or other subsidies.

Support Services: Due to high construction costs, on-site support services are not provided. However, this project will work hand in hand with a multitude of public and private social work organizations in the area. These organizations do wonderful work but consistently find that the biggest barrier to housing the unhoused is simply a lack of available units. By providing these units, the project will enable social work organizations to better serve the community and address the housing crisis more effectively.

Request to City Council: The project requires the city to sell the four parcels at 35, 37, 39, and 41 Charlotte Street to proceed. This acquisition is crucial for the project's success and its positive impact on the community.

Deed Restriction: With the sale of the property from the city, a deed restriction will be added allowing the property to be developed only for low-income housing. This ensures the long-term commitment to providing affordable housing solutions for the community.

Benefits to the Community:

- **Affordable Housing:** Provides housing for individuals with extremely low incomes.
- **Community Revitalization:** Revitalizes underutilized parcels, increasing property values in the area.
- **Job Creation:** Generates new job opportunities during construction and maintenance.

Timeline:

- **Acquisition of Parcels:** As soon as possible
- **Collaboration with City Building & Planning Department:** Immediately after acquisition to address any concerns
- **Zoning Board Process:** Within 3-6 months, begin the process to change zoning from industrial to R3 and request minimal parking requirements
- **Permit Application:** After zoning changes, apply for necessary permits
- **Project Completion:** Expected within 18 months from permit approval



410-28 SCHEDULE IA: BULK REQ. IN RES. ZONING DISTRICTS.

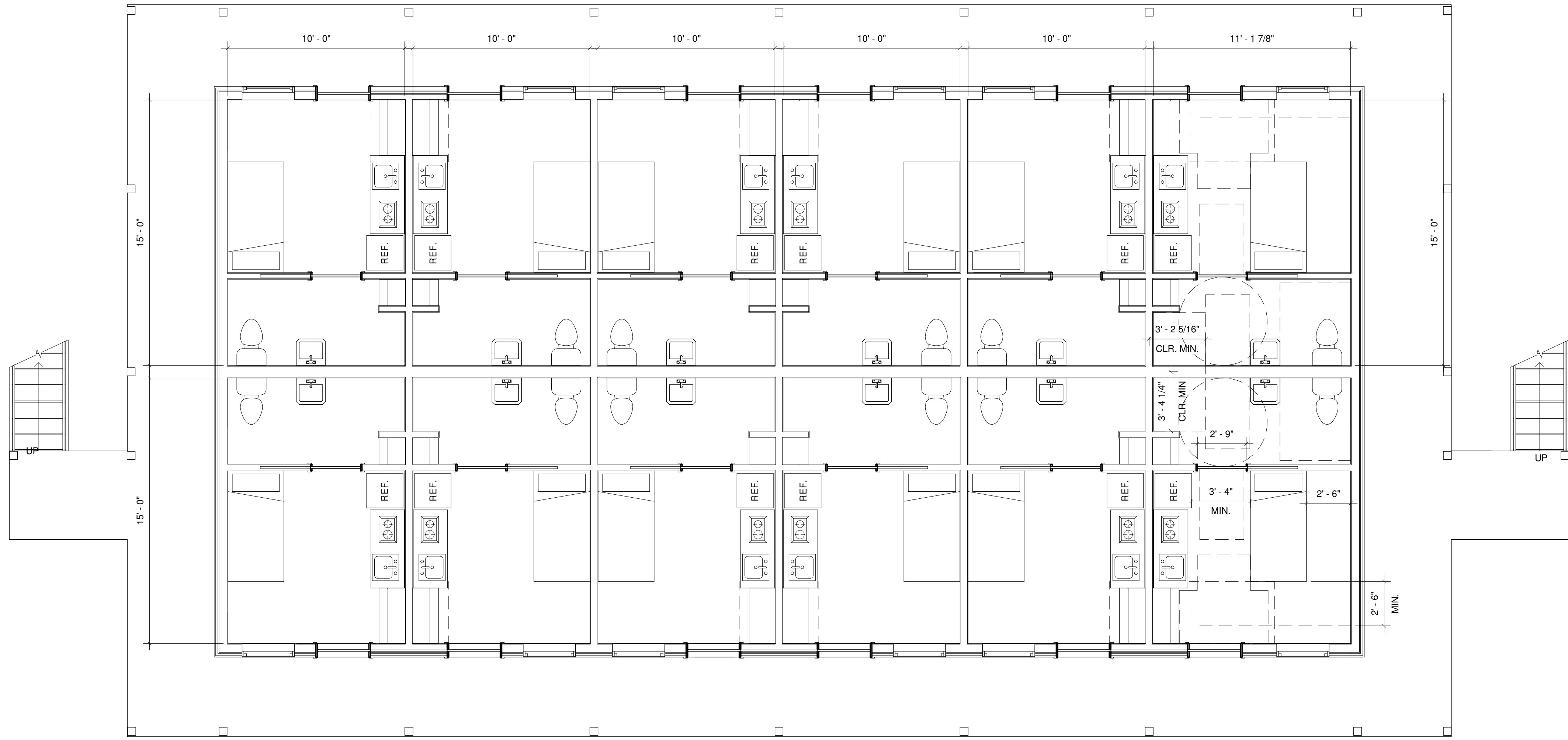
FRONT SETBACK = 10'-0"
 REAR SETBACK = 15'-0"
 ONE SIDE/TOTAL SIDE SETBACK = 5' / 15'
 MAX. LOT COVERAGE = 50%
 MAX. BLDG HEIGHT = 35'-0"
 MIN. LOT AREA (MULTI-UNIT) = N/A
 MIN. LOT WIDTH (MULTI-UNIT) = N/A

410-33 SCHEDULE IIA: BULK REQ. IN INDUSTRIAL ZONING DISTRICTS.

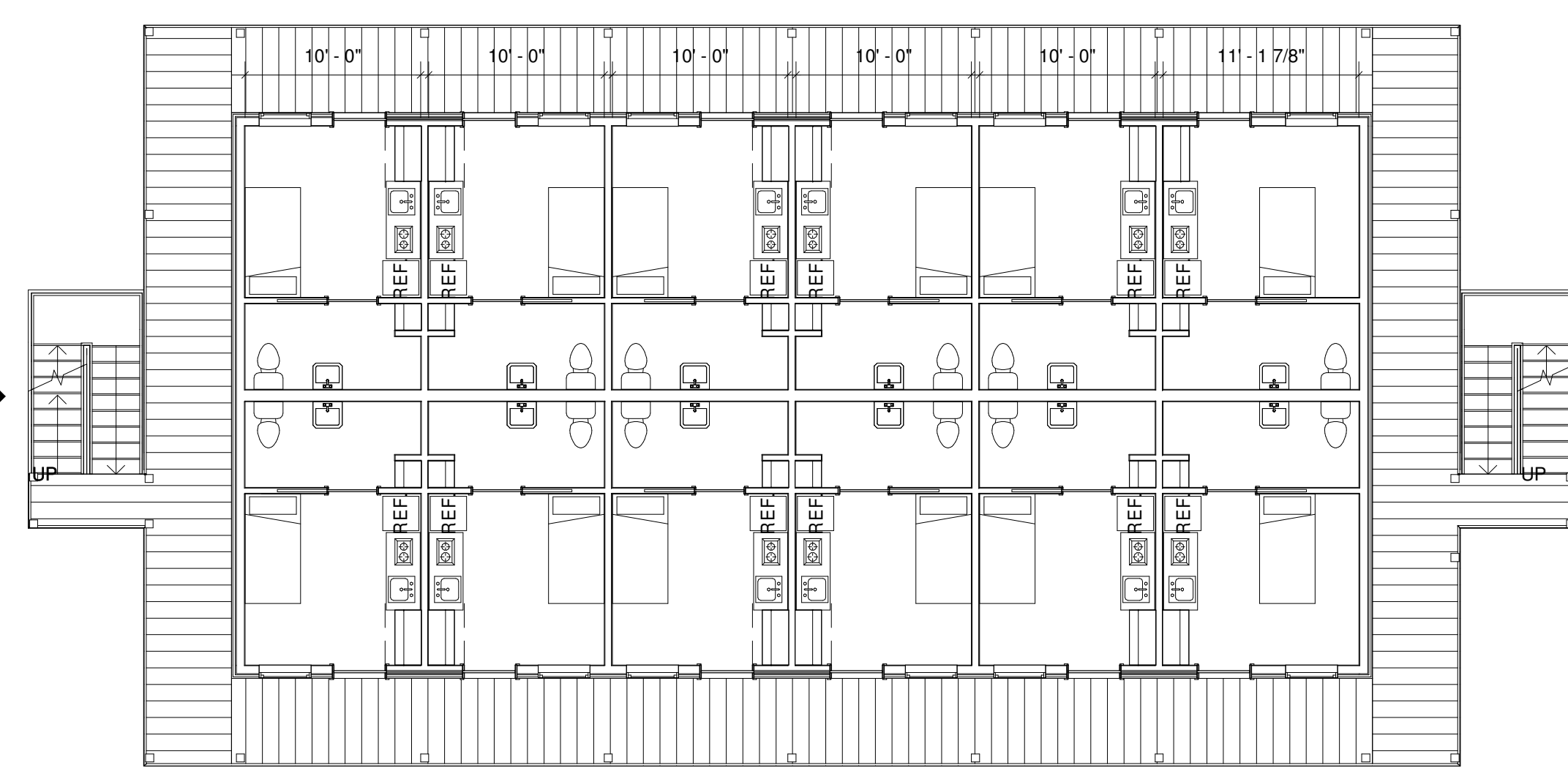
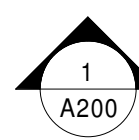
FRONT SETBACK = 20'-0"
 REAR SETBACK = 20'-0"
 ONE SIDE SETBACK = 10' + 5' PER 15 FT OF BLDG HT.
 MAX. LOT COVERAGE = 75%
 MAX. BLDG HEIGHT = 65'-0"
 MIN. LOT AREA (MULTI-UNIT) = 6,000 SF
 MIN. LOT WIDTH (MULTI-UNIT) = 50'-0"

SETBACKS SHOWN:

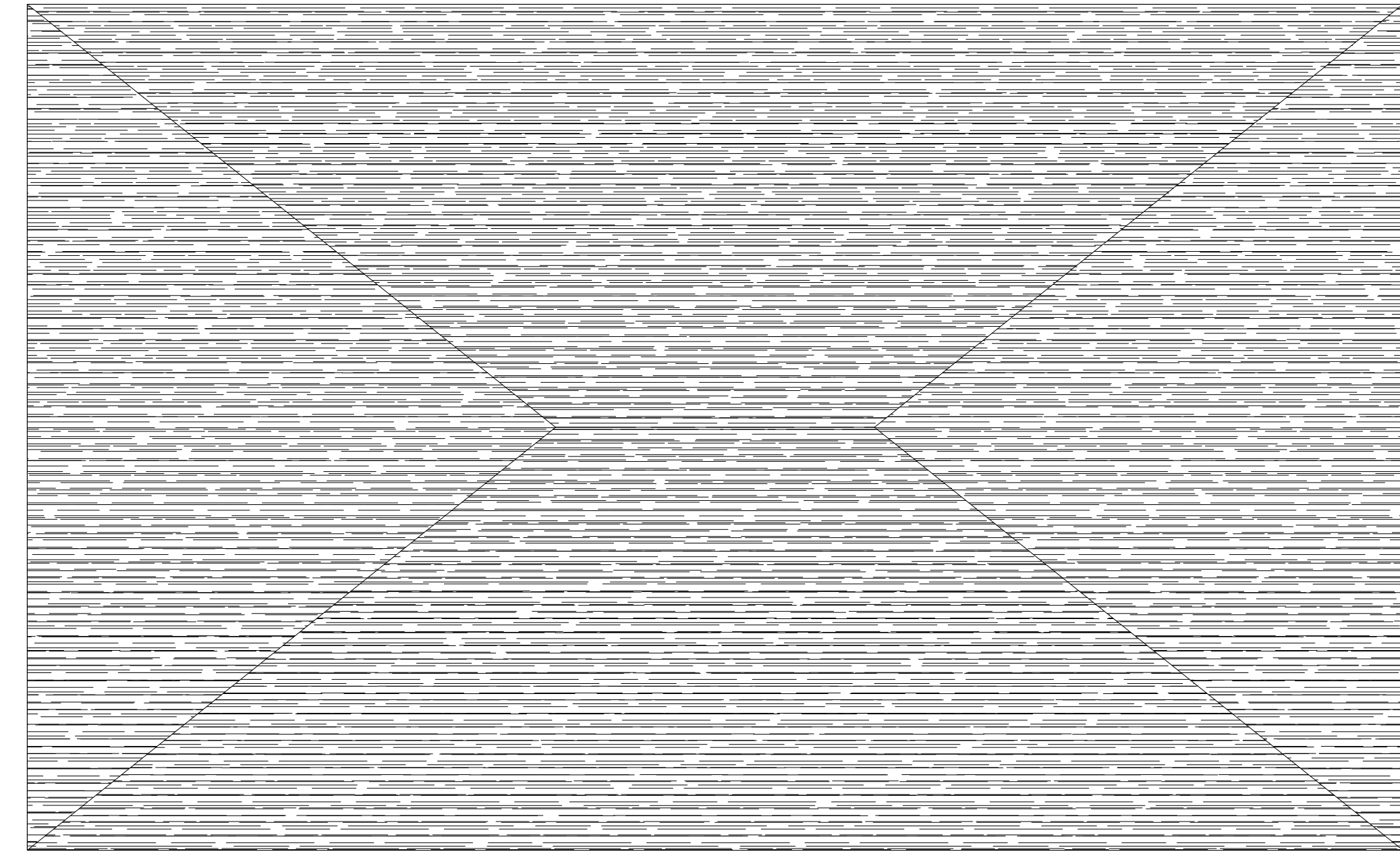
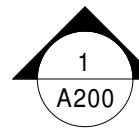
FRONT SETBACK = 20'-0"
 REAR SETBACK = 51'-0"
 ONE SIDE SETBACK = 44'-0"
 LOT COVERAGE = 15%
 MAX. BLDG HEIGHT = 42'-0"
 MIN. LOT AREA (MULTI-UNIT) = <6,000 SF
 MIN. LOT WIDTH (MULTI-UNIT) = <50'-0"



1 FIRST FLOOR
SCALE: 1/4" = 1'-0"



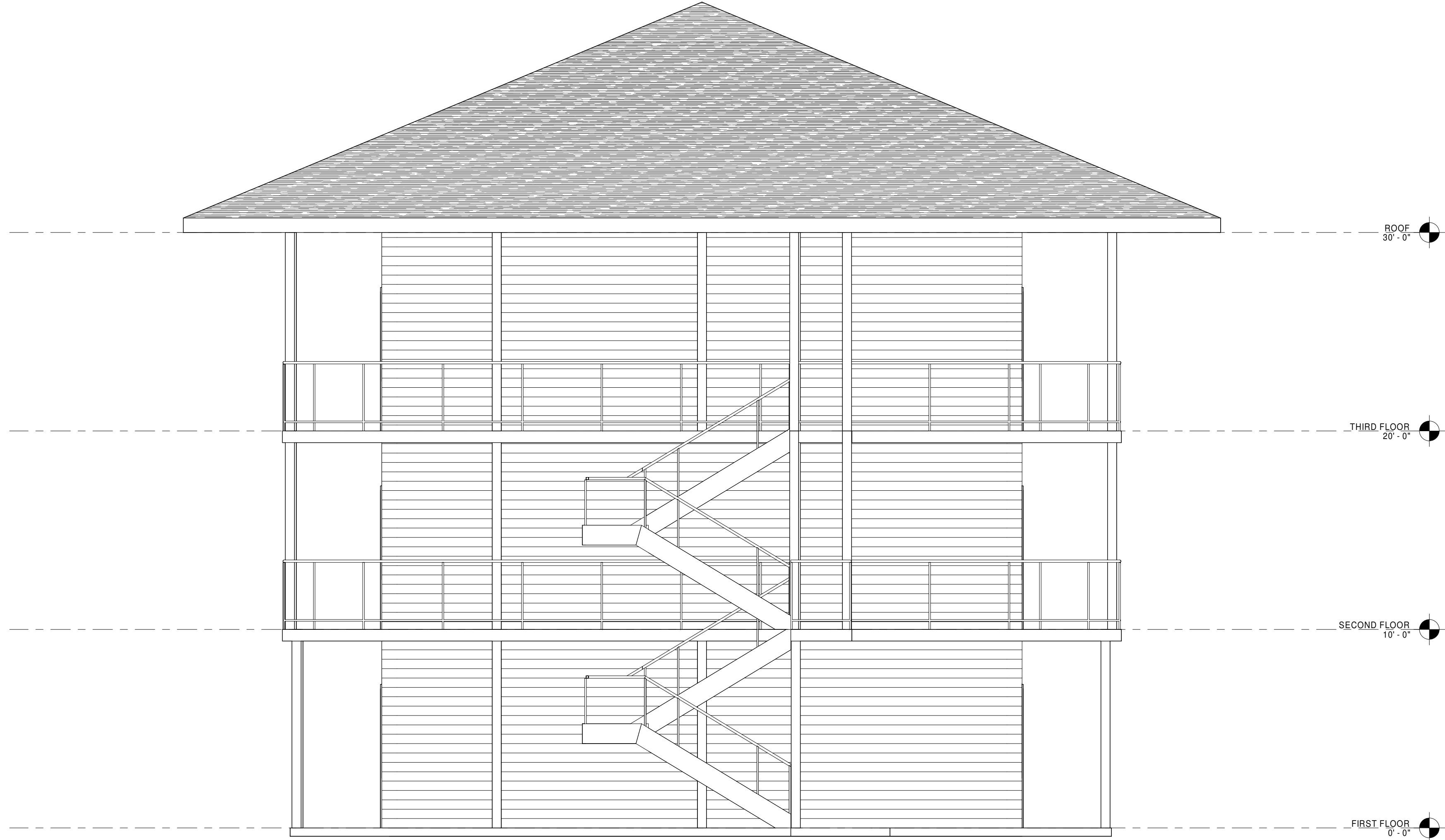
2 TYPICAL PLAN
SCALE: 1/8" = 1'-0"



3 ROOF
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"

LOW INCOME HOUSING
COMPLEX
CHARLIE ACKERMAN
ISSUED FOR PERMIT

02/15/2023
ELEVATIONS

A200



LOW INCOME HOUSING
COMPLEX
CHARLIE ACKERMAN
ISSUED FOR PERMIT

02/15/2023
ISOMETRICS

A900