



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

Date: November 6, 2024

Sponsored by Council Members: Kosty, Dundon, Porter, Middleton

Introduced by Committee: Planning

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
35-41 CHARLOTTE STREET TO CHARLES
ACKERMAN**

WHEREAS, the City of Binghamton is the owner of certain real property located at 35, 37, 39, and 41 Charlotte Street, Binghamton, NY, Tax Parcel Nos. #160.21-1-7, #160.21-1-8, #160.21-1-9, #160.21-1-10 (collectively, the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from Charles Ackerman or an entity sustainably owned and controlled by Charles Ackerman (the "Applicant") for mixed-use affordable housing; and

WHEREAS, the City has no public use for the Premises; and

WHEREAS, the Assessor of the City of Binghamton has determined the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on October 30, 2024.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain by at least a three-fourths vote as follows:

Section 1. That the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into a contract for sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer the Premises to Charles Ackerman or an entity sustainably owned and controlled by Charles Ackerman, by quitclaim deed for \$7,000, to be paid by cash, certified, or local bank check; and

Section 2. That this sale is subject to the following conditions as may be determined by the Corporation Counsel: a) the City shall retain rights of access for maintenance, repair, or replacement of all existing utilities, if any; b) the Applicant will develop the Premise exclusively for use as very low income housing with very low-income being as defined in Section 3(b)(2) of the Housing Act of 1937 and with the plans for such development and to be approved by the City of Binghamton Planning Department, Planning Commission, and Zoning Board of Appeals, as applicable; c) that such construction be commenced within five (5) years of the date of this

ordinance; and d) that the Applicant not sell or otherwise transfer the Premises to any third party for a period of at 30 years from the closing date; and

Section 3. Should any one of the conditions set forth in Section 2 of this Ordinance not be fulfilled at any time, the City shall have the right to repurchase the Premises, including any improvements made to said Premises, at the assessed value for the Premises as determined by the Assessor of the City of Binghamton; and

Section 4. That this Ordinance shall take effect immediately.

Introductory No. 024-93

Permanent No. 024-93

Sponsored by City Council Members: Kosty, Dundon, Porter, Middleton

AN ORDINANCE AUTHORIZING THE SALE OF 35-41 CHARLOTTE STREET TO CHARLES ACKERMAN

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

11/6/24
Date


City Clerk

11/8/24
Date Presented to Mayor

11/13/24
Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter	✓			
Councilmember Middleton				✓
Councilmember Cavanaugh	✓			
Councilmember Hotchkiss	✓			
Councilmember Mativetsky	✓			
Councilmember Kosty	✓			
Councilmember Dundon	✓			
Total	<u>6</u>	<u>0</u>	<u>0</u>	<u>1</u>

Code of the City of Binghamton

Adopted Defeated

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 11/13/24. Approved by the Mayor on _____.