



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

Date: July 22, 2020

Sponsored by Council Members: Resciniti, /, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JULY 22, 2020, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE CONSTRUCTION OF A NEW FIRE STATION ON LAND TO BE ACQUIRED BY THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$800,000 TO FINANCE SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton (the "City") recognizes the need for the construction of a new fire station in the City and shall authorize the preparation of preliminary plans and specifications in connection therewith;

WHEREAS, the Council of the City expects to acquire land for the site of said new fire station and demolish the existing structure(s) thereon, at a total estimated cost of \$355,000, using funds other than bonds.

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

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to prepare preliminary plans and specifications in connection with the construction of a new fire station on land to be acquired by the City (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$800,000 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. 020-69. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$800,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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Section 2. Bonds of the City in the principal amount of not to exceed \$800,000 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 the "Law"), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) 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, 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,

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

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

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Introductory No. 020-68

Permanent No. 020-69

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

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JULY 22, 2020, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE CONSTRUCTION OF A NEW FIRE STATION ON LAND TO BE ACQUIRED BY THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$800,000 TO FINANCE SAID APPROPRIATION

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

Date 7/27/2020

City Clerk Justina A. Segna

Date Presented to Mayor 7/28/2020

Date Approved 7/28/2020

Mayor William D. Davis

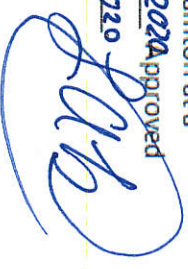
	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Resciniti	✓			
Councilwoman Riley		✓		
Councilwoman Friedman		✓		
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Total	5	2	0	0

Code of the City of Binghamton

Adopted Defeated

5 Ayes 2 Nays 0 Abstain 0 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 7/27/2020 approved by the Mayor on 7/28/2020



State Environmental Quality Review
Negative Declaration of Unlisted Action

Project Number: None

Date: July 22, 2020

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

Nature of action. An ordinance authorizing issuance of \$800,000 serial bonds to finance design of a proposed new fire station and purchase of 235 Court Street, Binghamton, New York for the proposed new fire station.

Findings. The City of Binghamton City Council has determined that the proposed action described above is an unlisted action. Court Street is the main commercial street in the City of Binghamton. The property is in a C-1 Service Commercial District, which allows such uses as light industrial, bus depot, and dormitory. While currently vacant, the most recent use of the property was classified as 433 - Auto body. It is located close to access to downtown, Routes 11 and 7 (the Brandywine Parkway). The City owns adjacent properties on Pine Street, allowing for improved ingress/egress. The City has also been advised by the NYS Department of Transportation that the property can access Chapman Street, thus minimizing potential impacts on Court Street and Pine Street. The New York State Historic Preservation Office (SHPO) has determined that the existing structure on the property is not historically significant.

While purchase of the property and authorizing a bond for design are important steps in the process, they are preliminary steps in a longer more detained process. Once an initial design is presented, it will require additional public hearing(s), site plan review for various impacts, including traffic, noise, etc... and approval from the City of Binghamton Commission on Architecture and Urban Design ("CAUD"). Thus it is anticipated that this initial SEQRA determination will be supplemented as the process evolves.

Based on the forgoing, it is determined that issuance of \$800,000 serial bonds to finance design of a proposed new fire station and purchase of 235 Court Street, Binghamton, New York for the proposed new fire station will not have a significant impact on the environment.

For Further Information

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City of Binghamton City Council

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