



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

Date: April 22, 2020

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING THE SALE OF  
22 CHARLES STREET TO BOWERS  
DEVELOPMENT, LLC FOR \$500,000**

WHEREAS, the City of Binghamton is the owner of certain real property located at 22 Charles Street, Binghamton, New York, Tax Parcel No. 144.78-2-1 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from Bowers Development, LLC (the "Applicant") for \$500,000 for use of the Premises for production of electricity, *i.e.*, its most recent permitted use; and

WHEREAS, this proposed transfer is in conjunction with a proposed transfer of 30 Charles Street from the Binghamton Local Development Corporation ("BLDC") to Applicant; and

WHEREAS, the proposed transfer will include a one year due diligence period, with the closing scheduled for 30 days after the expiration of due diligence period; 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 April 7, 2020.

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 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 Bowers Development, LLC, by Bargain and Sale Deed for \$500,000 to be paid by wire transfer, certified, or local bank check.

Section 2. That this Ordinance shall take effect immediately.

Introductory No. 020-46

Permanent No. 020-45

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

AN ORDINANCE AUTHORIZING THE SALE OF  
22 CHARLES STREET TO BOWERS  
DEVELOPMENT LLC FOR \$500,000

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

Date 4/22/2020

City Clerk Stephanie G. McFurn

Date Presented to Mayor 4/23/2020

Date Approved 4/23/2020

Mayor [Signature]

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

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 4/22/2020. Approved by the Mayor on 4/23/2020

[Signature]

**State Environmental Quality Review**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Non-Significance**

**Project Number:** None

**Date:** April 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.

The City of Binghamton City Council as lead agency has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Sale of 22 Charles Street, Binghamton, New York.

**SEQR Status:**      Type 1        
                            Unlisted     

**Conditioned Negative Declaration:**      Yes        
  No     

**Description of Action:**

The City of Binghamton is transferring 22 Charles Street, Binghamton, New York, Tax Parcel No. 144.78-2-1 to Bowers Development, LLC.

**Location:** 22 Charles Street, Binghamton, New York.

**Reasons Supporting This Determination:**

The City received this property as a donation in December 2017. It is a permitted electric generating facility, although it has not been operated by the City of Binghamton. The proposed use is to continue operation as an electric generating facility, which may include providing electricity to future adjoining uses. This sale is in conjunction with a proposed sale of the adjoining property at 30 Charles Street to the same Purchaser. Any future development of this property or the related adjacent will have to be approved by the Planning Commission.

The lead agency has determined that the action will not have a significant adverse impact on the environment for the following reasons:

The transfer will preserve green space and provide for future maintenance.

The action will not produce a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The action will not involve the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant or the habitat of such a species; or other significant adverse impacts to natural resources.

The action will not cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14 (g).

The action will not create a material conflict with a community's current plans or goals as officially approved or adopted.

The action will not impair the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.



The action will not cause a major change in the use of either the quantity or type of energy.

The action will not create a hazard to human health.

The action will not cause a substantial change in the use or intensity of use of land including agriculture, open space or recreation resources, or in its capacity to support existing uses.

The action will not change two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together results in a substantial adverse impact on the environment.

Impacts from the action may combine with impacts of other, possible independent actions in the vicinity. The lead agency finds that when considered cumulatively such combination will not create a significant adverse impact on the environment.

### **For Further Information**

Contact Person: Thomas Scanlon, President  
City of Binghamton City Council

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38 Hawley Street  
Binghamton, NY 13901

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

