



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Sophia Resciniti, City Council President

Leighton Rogers, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON
Business Meeting Agenda
City Hall, 38 Hawley Street, Binghamton, NY 13901
Wednesday, December 8, 2021

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ACKNOWLEDGEMENTS AND RECOGNITIONS

V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes

Approve the Minutes from the November 17, 2021 Business Meeting and the November 19, 2021 Special Business Meeting.

City Council Finance Committee: Strawn (Chair), Scanlon, Burns

No items to report.

City Council Planning & Community Development Committee: Strawn (Chair), Scaringi, Friedman

No items to report.

City Council Municipal & Public Affairs Committee: Scanlon (Chair), Strawn, Riley

No items to report.

City Council Public Works/Parks & Recreation Committee: Scanlon (Chair), Scaringi, Riley

No items to report.

City Council Employees Committee: Scaringi (Chair), Scanlon, Burns

No items to report.

City Council Rules & Procedures/Special Studies Committee: Scaringi (Chair), Strawn, Friedman

No items to report.

VI. APPROVAL OF APPOINTMENTS

VII. PUBLIC HEARING

Binghamton City Council and the Mayor will hold a Public Hearing regarding Permanent Ordinance 21-60 An Ordinance authorizing the mayor to submit the FY47 Annual Action Plan and accept any and all funds allocated by the US Department of Housing and Urban Development from the CDBG, ESG, and Home Entitlement programs.



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Residents wishing to submit comments may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.com or virtually via zoom during the meeting. For any questions, please contact the City Clerk's Office at (607) 772-7005.

VIII. SET PUBLIC HEARINGS

1. Binghamton City Council and the Mayor will hold a Public Hearing regarding RL21-261 A Resolution authorizing a grant application to the New York State Office of Community Renewal Community Development Block Grant – Covid-19 Response Program.
2. Binghamton City Council and the Mayor will hold a Public Hearing regarding RL21-281 An Ordinance to modify the Fire Station Bond.
3. Binghamton City Council and the Mayor will hold a Public Hearing regarding RL21-288 An Ordinance to modify the 2015 Bond for the Reconstruction of State Street.

These Public Hearings will take place during the next regular City Council Business Meeting at 6pm on December 22, 2021, in City Hall, 38 Hawley Street, Binghamton, NY and virtually via zoom. Residents wishing to submit comments may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.com or virtually via zoom during the meeting. For any questions, please contact the City Clerk's Office at (607) 772-7005.

IX. PUBLIC COMMENT/COMMUNICATION

1. Residents wishing to submit public comment may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.com
2. Approval of Proposed City Council 2022 Meeting Calendar

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION

XII. FIRST READING LEGISLATION

A. PREFERRED AGENDA

Introductory Ordinance 21-136. Considered in Finance: Strawn

An Ordinance to amend the 2021 Binghamton-Johnson City Joint Sewage Board budget for increased costs of chemicals and sludge & waste disposal

Introductory Ordinance 21-137. Considered in Finance: Strawn

An Ordinance to amend the 2021 Water budget to pay increased cost of chemicals



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Introductory Ordinance 21-139. Considered in Finance: Strawn

An Ordinance to amend the 2021 Golf fund budget for professional services and equipment/repairs

Introductory Ordinance 21-140. Considered in Finance: Strawn

An Ordinance to amend the 2021 General fund budget to transfer funds for fire training at SUNY

Introductory Ordinance 21-141. Considered in Finance: Strawn

An Ordinance to amend the 2021 Sewer budget for the sewage treatment plant and overtime

Introductory Ordinance 21-142. Considered in Finance: Strawn

An Ordinance to amend the 2021 Sewer budget for legal fees

Introductory Ordinance 21-143. Considered in Planning: Strawn

An Ordinance to update the contract of sale 72 Court Street

Introductory Ordinance 21-144. Considered in Finance: Strawn

An Ordinance to amend the 2021 Treasurer budget to account for parking fines collected

Introductory Resolution 21-98. Considered in Finance: Strawn

A Resolution authorizing the Mayor to enter into a Payment in Lieu of Taxes (PILOT) extension agreement with Transurban Housing Associates for Woodburn Court II

Introductory Resolution 21-99. Considered in Finance: Strawn

A Resolution authorizing the Mayor to amend supplemental agreement No. 3 for USACOE/NYSDEC Pipe/Conduit inspection and maintenance/rehabilitation work

B. NON PREFERRED AGENDA

Introductory Ordinance 21-138. Considered in Planning: Strawn

An Ordinance authorizing the sale of 110 Park Avenue to Jake A. Brigham for \$350

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

XIV. ADJOURNMENT



DRAFT FOR 2022

COUNCIL OF THE CITY OF BINGHAMTON, NEW YORK



KEY: 6:00pm Work Sessions are marked in green.

6:00pm Business Meetings are marked in blue.

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

Date: December 8, 2021

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2021 WATER
BUDGET TO PAY INCREASED COST OF
CHEMICALS**

WHEREAS, the Superintendent of Water and Sewer and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2021 Water budget to cover increased cost of chemicals; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 8, 2021.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2021 Water budget to pay increased cost of chemicals as follows:

Transfer From (Decrease):

\$10,000 FX8330.54620 (Equip.Repairs)

30,000 FX8330.51900 (Overtime)

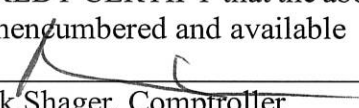
\$40,000

Transfer To (Increase):

\$40,000 FX8330.54150 (Chemicals)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds
are unencumbered and available



Chuck Shager, Comptroller

Legal Counsel Approval BAK
RL 21-256

Introductory No. O21-140
Permanent No. _____



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

Date: December 8, 2021

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2021
GENERAL FUND BUDGET TO TRANSFER
FUNDS FOR FIRE TRAINING AT SUNY**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2021 General Fund budget to transfer funds for Fire training at SUNY; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 8, 2021.

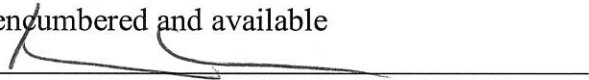
NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2021 General Fund budget to transfer funds for Fire training at SUNY as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$7,561 A3410.51000 (Per.Ser-Various)	\$7,561 A3410.54701 (Travel & Training)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available



Chuck Shager, Comptroller

Legal Counsel Approval BRR
RL 21-258

Introductory No. O21-142
Permanent No. _____



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

Date: December 8, 2021

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

Introduced by Committee: Finance

ORDINANCE

entitled
**AN ORDINANCE TO AMEND THE 2021 SEWER
BUDGET FOR LEGAL FEES**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2021 Sewer budget; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 8, 2021.

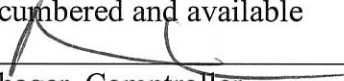
NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2021 Sewer budget as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$145,495.10 G9730.57000 (Ban-Interest)	\$145,495.10 G8150.54430 (Legal Fees)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available



Chuck Shager, Comptroller



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

Date: December 8, 2021

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

Introduced by Committee: Planning

ORDINANCE

entitled

**AN ORDINANCE TO UPDATE THE CONTRACT
OF SALE FOR 72 COURT STREET**

WHEREAS, pursuant to Permanent Ordinance O15-069, dated October 13, 2015, City Council approved the sale of 72 Court Street to M.B. Yonaty Development, LLC (the "Applicant"), for \$75,000; and

WHEREAS, pursuant to Permanent Ordinance O17-48, dated July 12, 2017, City Council approved a new contract of sale due to the original contract term expiring; and

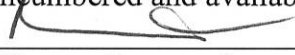
WHEREAS, the contract should be updated for a closing date of December 2021 with no further due diligence period.

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 update the contract of sale, approved as to form and content by the Office of Corporation Counsel, with M.B. Yonaty Development, LLC for 72 Court Street and a closing date in December 2021.

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds
are unencumbered and available



Chuck Shager, Comptroller



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: December 8, 2021

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

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2021
TREASURER BUDGET TO ACCOUNT FOR
PARKING FINES COLLECTED

WHEREAS, the Treasurer and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2021 Treasurer budget to account for increased parking fines collected; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 8, 2021.

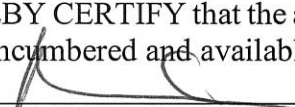
NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2021 Treasurer budget to account for increased parking fines collected as follows:

- (i) \$10,000 increase revenue budget line A.42610A (Parking Ticket Fines)
- (ii) \$10,000 increase expense budget line A1325.54410 (Pro.Ser.)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds
are unencumbered and available



Chuck Shager, Comptroller

BAM



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

Date: December 8, 2021

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

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO A PAYMENT IN LIEU OF
TAXES (PILOT) EXTENSION AGREEMENT
WITH TRANSURBAN HOUSING ASSOCIATES
FOR WOODBURN COURT II**

WHEREAS, Transurban Housing Associates is the owner of Woodburn Court II at 100 Susquehanna Street, Binghamton, New York, Tax Parcel No. 160.50-2-1 (the "Premises"); and

WHEREAS, Transurban Housing Associates is a duly organized and existing redevelopment company pursuant to Article 5 of the Private Housing Finance Law of the State of New York (the "Enabling Act"); and

WHEREAS, the parties entered into a Payment in Lieu of Taxes (PILOT) for the project on or about December 22, 1981, for a forty (40) year term; and

WHEREAS, the parties wish to extend the PILOT agreement under the terms and conditions in the attached agreement.

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 enter into an extension of the PILOT Agreement, approved as to form and content by the Office of Corporation Counsel, with Transurban Housing Associates for Woodburn Court II at 100 Susquehanna Street, Binghamton, New York, Tax Parcel No. 160.50-2-1, as attached hereto.

**Extension Agreement
Woodburn Court II**

This Extension Agreement made as of November ___, 2021, by and between Transurban Housing Associates, a New York limited partnership and redevelopment company with its principal office at c/o Conifer Realty, LLC 1000 University Avenue, Suite 500, Rochester, NY 14607 (the "Company") and the City of Binghamton, a municipal corporation organized under the laws of the State of New York, 38 Hawley Street, Binghamton NY, 13850.

WHEREAS, the Company is a duly organized and existing redevelopment company pursuant to Article 5 of the Private Housing Finance Law of the State of New York (the "Enabling Act"); and

WHEREAS, the Company owns and operates Woodburn Court II, at 100 Susquehanna St, Binghamton, NY 13901 (the "Project"); and

WHEREAS, the parties entered into a Payment In Lieu of Taxes Agreement ("PILOT Agreement") for the Project on or about December 22, 1981, for a forty (40) year term; and


WHEREAS, the parties wish to extend the PILOT Agreement under the term and conditions set forth herein.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, agree as follows:

1. Paragraph 3(b)(ii) is amended to provide a payment due of "as a payment in lieu of all local and municipal taxes on the Project, the greater of either the sum of \$20,000 or (the "minimum payment") or 10.5% of the Gross Shelter Rent of the Project,
2. Paragraph 8 is amended to add, "Notwithstanding any provision herein to the contrary, the term of this Extension Agreement is from the date hereof to December 31, 2034. Unless otherwise extended, the PILOT and this Extension Agreement will expire on December 31, 2034.
3. This Extension Agreement was approved by the City of Binghamton City Council by Permanent Resolution 21-___, dated _____.

IN WITNESS WHEREOF, the parties have executed this Extension Agreement as of the date written above.

Transurban Housing Associates

By: 
Robert Lampher
COO of Conifer Realty, LLC

City of Binghamton

By: _____
Richard C. David
Mayor



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

Date: December 8, 2021

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

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE MAYOR
TO AMEND SUPPLEMENTAL AGREEMENT
NO. 3 FOR USACOE/NYSDEC PIPE/CONDUIT
INSPECTION AND MAINTENANCE/
REHABILITATION WORK**

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 19-49, dated June 19, 2019, with Barton & Loguidice DPC for USACOE/NYSDEC pipe/conduit inspection and maintenance/rehabilitation work; and

WHEREAS, pursuant to Permanent Resolution 19-65, dated August 7, 2019, the City entered into Supplemental Agreement No. 1 with Barton & Loguidice DPC at a cost not to exceed \$39,800 for USACOE/NYSDEC pipe/conduit inspection and maintenance/rehabilitation work; and

WHEREAS, pursuant to Permanent Resolution 20-49, dated June 17, 2020, the City entered into Supplemental Agreement No. 2 with Barton & Loguidice DPC at a cost not to exceed of \$5,300 for USACOE/NYSDEC pipe/conduit inspection and maintenance/rehabilitation work - Phase II; and

WHEREAS, pursuant to Permanent Resolution 21-04, dated January 20, 2021, the City entered into Supplemental Agreement No. 3 with Barton & Loguidice DPC for USACOE/NYSDEC pipe/conduit inspection and maintenance/rehabilitation work - Phase III at a cost not to exceed \$210,400.

WHEREAS, the City Engineer recommends the City amend Supplemental Agreement No. 3 by reducing the cost by \$10,000, which funds will be used for separate survey services.

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 amend Supplemental Agreement No. 3, approved as to form and content by the Office of Corporation Counsel, with Barton & Loguidice for USACO/NYSDEC pipe/conduit inspection and maintenance/rehabilitation work - Phase III reduced by \$10,000 for a reduced total cost not to exceed \$200,400.



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

Date: December 8, 2021

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

Introduced by Committee: Planning

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
110 PARK AVE TO JAKE A. BRIGHAM FOR
\$350**

WHEREAS, the City of Binghamton is the owner of certain real property located at 110 Park Ave., Binghamton, New York, Tax Parcel No. 176.32-3-7 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from Jake A. Brigham (the "Applicant) for \$350 as part of the City's side lot program; 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 December 8, 2021.

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 of 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 Jake A. Brigham, by Quitclaim Deed for \$350 to be paid by cash, certified, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the Premises may only be used as green space and (ii) the Premises must be merged with the Applicant's adjacent property located at 108 Park Ave., Binghamton, New York, Tax Parcel No. 176.32-3-6.

Section 3. That this Ordinance shall take effect immediately.

State Environmental Quality Review Act
Motion Template

Strawn - Introductory Ordinance 21-138 entitled “An Ordinance Authorizing the sale of 110 Park Ave. to Jake A. Brigham for \$350”

A. Strawn – I make a motion to declare City Council as “Lead Agency” under SEQRA.

Seconded by _____,

Voice Vote (All in Favor)

B. Strawn – I make a motion to identify the proposed action as “Unlisted” under SEQRA.

Seconded by _____,

Voice Vote (All in Favor)

C. Strawn – I make a motion to issue a negative declaration under SEQRA for the following reasons:

This is a vacant lot in a residential area. The Purchaser owns the adjoining property at 108 Park Ave. The proposed use is green space. The transfer will preserve green space and provide for future maintenance. This transfer is made as part of the City’s Side-Lot program.

Seconded by _____,

Full Roll Call Vote

After SEQRA: Approve the legislation, roll call vote.

D. Strawn – I rise and ask for unanimous consent for Introductory Ordinance 21-138 entitled “An Ordinance Authorizing the sale of 110 Park Ave. to Jake A. Brigham for \$350”

Seconded by _____,

Full Roll Call Vote