



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Phil Strawn, 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, January 19, 2022**

**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 January 5, 2022 Business Meeting.

**City Council Finance Committee: Scaringi (Chair), Scanlon, Burns**

No items to report.

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

No items to report.

**City Council Municipal & Public Affairs Committee: Scaringi (Chair), Resciniti, Riley**

No items to report.

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

No items to report.

**City Council Employees Committee: Resciniti (Chair), Scaringi, Burns**

No items to report.

**City Council Rules & Procedures/Special Studies Committee: Resciniti (Chair), Scanlon, Friedman**

No items to report.

**VI. APPROVAL OF APPOINTMENTS**

**VII. PUBLIC HEARING**

**VIII. SET PUBLIC HEARINGS**

1. The City of Binghamton will hold a Public Hearing on Wednesday, February 9, 2022, at 6pm virtually via zoom, for the purpose of hearing public comments on the City's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2022 program year. This public hearing is regarding RL21-261 entitled 'A Resolution authorizing a grant application to the New York State



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Phil Strawn, City Council President*

*Leighton Rogers, City Clerk*

---

Office of Community Renewal Community Development Block Grant – Covid-19 Response Program’.

2. The City of Binghamton will hold a Public Hearing regarding RL22-22 entitled “2022 Bond Ordinance in an amount not to exceed \$1,600,000 to finance various capital improvements”. This public hearing will take place during the next regular City Council Business Meeting at 6pm on Wednesday, February 9, 2022, 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](mailto: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**

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](mailto:clerk@cityofbinghamton.com) or virtually via zoom during the meeting.

## **X. REVIEW OF MAYORAL VETO**

## **XI. SECOND READING LEGISLATION**

## **XII. FIRST READING LEGISLATION**

### **A. PREFERRED AGENDA**

#### **Introductory Ordinance 22-03. Considered in Planning: Scanlon**

An Ordinance authorizing the sale of 20 & 22 Lisle Avenue to the YWCA of Binghamton and Broome County

#### **Introductory Ordinance 22-04. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Board budget to amend personal services for an Operator I and a Mechanic’s Assistant

#### **Introductory Ordinance 22-05. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Board budget to amend personal services for an Electrician’s Helper

#### **Introductory Ordinance 22-06. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Board budget to adjust the annual salary for the CMMS Clerk

#### **Introductory Ordinance 22-07. Considered in Finance: Scaringi**

An Ordinance to amend the 2021 Sewer budget for personal and professional services

---



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Phil Strawn, City Council President*

*Leighton Rogers, City Clerk*

**Introductory Ordinance 22-08. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Sewer budget for various projects

**Introductory Ordinance 22-09. Considered in Finance: Scaringi**

An Ordinance to amend the 2021 Fire budget for ARPA funds allocated for essential workers

**Introductory Ordinance 22-10. Considered in Finance: Scaringi**

An Ordinance to amend the 2021 Finance budget for temporary services

**Introductory Ordinance 22-11. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Finance, Law, and Contingency budgets for temporary and personal services

**Introductory Ordinance 22-12. Considered in Finance: Scaringi**

An Ordinance to amend Permanent Ordinance 21-142 for Legal Fees

**Introductory Resolution 22-02. Considered in Finance: Scaringi**

A Resolution authorizing the Mayor to enter into a contract with the New York State Office of Temporary and Disability Assistance to assist low income residential households with water/sewer in arrears

**Introductory Resolution 22-03. Considered in Finance: Scaringi**

A Resolution authorizing the acceptance of \$8,877.70 from the Broome County Stop-DWI program for overtime patrol in 2021

**B. NON PREFERRED AGENDA**

**XIII. COMMUNICATIONS FROM COUNCIL MEMBERS**

**XIV. ADJOURNMENT**



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

Date: January 19, 2022

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING THE SALE OF  
20 LISLE AVENUE AND 22 LISLE AVENUE TO  
YOUNG WOMEN’S CHRISTIAN ASSOCIATION  
OF BINGHAMTON AND BROOME COUNTY,  
INC. FOR \$1 EACH**

WHEREAS, the City of Binghamton is the owner of certain real property located at 20 Lisle Ave., Binghamton, New York, Tax Parcel No. 160.50-1-14 and 22 Lisle Ave., Binghamton, New York, Tax Parcel No. 160.50-1-15 (the “Premises”); and

WHEREAS, the City received an Offer to Purchase the Premises from the Young Women’s Christian Association of Binghamton and Broome County, Inc. (the “Applicant”) for \$1 each to use the Premises for a NYS licensed child care center and sixty (60) units of affordable housing, both to be partially funded through a grant or grants from the State of New York; 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 January 19, 2022.

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 the Young Women’s Christian Association of Binghamton and Broome County, Inc., by Quitclaim Deed for \$1 each to be paid by cash, certified, or local bank check.

Section 2. That this transfer is subject to a restriction that the Premises may only be used for a NYS licensed child care center and sixty (60) units of affordable housing to be partially funded through the State of New York, and the City will not transfer the Premises to the Applicant until the proposed child care center and affordable housing is approved by the City of Binghamton Planning Commission, including a SEQRA findings and determination.

Section 3. That this Ordinance shall take effect immediately.



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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2022  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE BOARD BUDGET TO AMEND  
PERSONAL SERVICES FOR AN OPERATOR I  
AND A MECHANIC'S ASSISTANT

WHEREAS, the City of Binghamton (the "City") is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the "BJCJSTF") with the Village of Johnson City (the "Village"); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "JSB") under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested to amend the 2022 BJCJSTF budget to (i) defund two Operator II positions and to create and fund two Operator I/Operator Trainee positions at an annual salary of \$55,036.80; (ii) defund one Mechanic's position and to create and fund one Mechanic's Assistant position at an annual salary of \$53,913.60; (iii) reduce State Retirement, Social Security, and Workers' Compensation accordingly, and (iv) to transfer the balance to Contingency.

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

Section 1. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to (i) create budget line J8130.51000 (Personal Services-Operator I/Operator Trainee) for two positions at an annual salary of \$55,036.80, effective January 22, 2022; (ii) to create budget line J8130.51000 (Personal Services- Mechanic's Assistant), for one position at an annual salary of \$53,913.60 effective February 5, 2022.

Section 2. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to (i) defund two Operator II positions and fund two Operator I/Operator Trainee positions to be funded in 2022 for 24 pay

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

Date: January 19, 2022

periods starting on January 22, 2022; (ii) defund one Mechanic's position and fund one Mechanic's Assistant position to be funded in 2022 for 23 pay periods starting on February 5, 2022; and (iii) reduce State Retirement, Social Security, and Workers' Compensation accordingly, and (iv) to transfer the balance to Contingency as follows:

Transfer From (Decrease):

\$107,020 J8130.51000 (Per.Ser-Operator II-2)

1,854 J9010.58000.A (State Retirement)

1,455 J9030.58000.B (Social Security)

2,035 J9040.58000.D (Workers Comp.)

53,709 J8130.51000 (Per.Ser-Mechanic)

1,226 J9010.58000.A (State Retirement)

962 J9030.58000.B (Social Security)

802 J9040.58000.D (Workers Comp.)

---

\$169,063

Transfer To (Increase):

\$88,007 J8130.51000 (Per.Ser-Operator I/  
Trainee-2)

41,133 J8130.51000 (Per.Ser-Mech.Ass't)

39,923 J8130.55000 (Contingency)

---

\$169,063

Section 3. That this Ordinance shall become effective when also approved by sufficient members of the Board of Trustees of the Village.

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

---

Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2022  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE BOARD BUDGET TO AMEND  
PERSONAL SERVICES FOR AN  
ELECTRICIAN'S HELPER

WHEREAS, the City of Binghamton (the "City") is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the "BJCJSTF") with the Village of Johnson City (the "Village"); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "JSB") under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested an amendment to the 2022 BJCJSTF budget to (i) defund one Electrician and to create and fund one Electrician's Helper position at an annual salary of \$56,555.20; (ii) reduce State Retirement, Social Security, and Workers' Compensation accordingly, and (iii) to transfer the balance to contingency.

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

Section 1. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to create budget line J8130.51000 (Personal Services-Electrician's Helper) for one position at an annual salary of \$56,555.20, effective January 8, 2022.

Section 2. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to (i) defund one Electrician and fund one Electrician's Helper position to be funded in 2022 for 25 pay periods starting on January 8, 2022; (ii) reduce State Retirement, Social Security, and Workers' Compensation accordingly, and (iii) to transfer the balance to contingency as follows:

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

Date: January 19, 2022

Transfer From (Decrease):

\$58,380 J8130.51000 (Per.Ser-Electrician)  
390 J9010.58000.A (State Retirement)  
306 J9030.58000.B (Social Security)  
\_\_\_\_ 183 J9040.58000.D (Workers Comp.)  
\$59,259

Transfer To (Increase):

\$54,380 J8130.51000 (Per.Ser-Elect.Helper)  
4,879 J8130.55000 (Contingency)  
\_\_\_\_\_  
\$59,259

Section 3. That this Ordinance shall become effective when also approved by sufficient members of the Board of Trustees of the Village.

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

\_\_\_\_\_  
Chuck Shager, Comptroller/JSB Fiscal Officer





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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE BOARD BUDGET TO ADJUST THE  
ANNUAL SALARY FOR THE CMMS CLERK**

WHEREAS, the City of Binghamton (the “City”) is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the “BJCJSTF”) with the Village of Johnson City (the “Village”); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the “JSB”) under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested an amendment to the 2022 BJCJSTF budget to adjust the annual salary for the CMMS Clerk because it was provisional in the 2022 proposed budget and the JSB wishes to make it permanent based on experience in the 2022 and consistent with union rates.

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

Section 1. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to (i) adjust the annual salary of the CMMS Clerk in 2022 from \$51,540 to \$62,795.20 and to fund same for 25 pay periods starting on January 8, 2022; and (ii) increase State Retirement, Social Security, and Workers’ Compensation accordingly, as follows:

Transfer From (Decrease):

\$10,955 J8130.55000 (Contingency)

\_\_\_\_\_

\$10,955

Transfer To (Increase):

\$ 8,840 J8130.51000 (Per.Ser-CMMS Clerk)  
862 J9010.58000.A (State Retirement)  
677 J9030.58000.B (Social Security)  
576 J9040.58000.D (Workers Comp.)

\_\_\_\_\_

\$10,955

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

Date: January 19, 2022

Section 2. That this Ordinance shall become effective when also approved by sufficient members of the Board of Trustees of the Village.

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

  
\_\_\_\_\_  
Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2021 SEWER  
BUDGET FOR PERSONAL AND  
PROFESSIONAL SERVICES**

WHEREAS, the Water/Sewer Superintendent and Comptroller of the City of Binghamton find it proper and necessary to amend the 2021 Sewer budget for various projects; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on January 19, 2022.

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 for various projects as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$2,200 G9710.57000 (Joint Sewer-Serial	\$ 800 G8150.51000 (Per.Ser-Project
Bond Interest)	Analyst)
	<u>1,400</u> G8150.54410 (Pro.Ser)
	\$2,200

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: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*  
**AN ORDINANCE TO AMEND THE 2022 SEWER  
BUDGET FOR PERSONAL AND  
PROFESSIONAL SERVICES**

WHEREAS, the Water/Sewer Superintendent and Comptroller of the City of Binghamton finds it proper and necessary to amend the 2022 Sewer budget for various projects; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on January 19, 2022.

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 2022 Sewer budget for various projects as follows:

- (i) \$6,300 decrease Sewer Fund Balance
- (ii) \$3,500 increase expense budget line G8150.51000 (Per.Ser-Project Analyst)
- (iii) \$2,800 increase expense budget line G8150.54410 (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



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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2021 FIRE  
BUDGET FOR ARPA FUNDS ALLOCATED FOR  
ESSENTIAL WORKERS**

WHEREAS, pursuant to Permanent Ordinance 21-134, dated November 17, 2021, the City of Binghamton allocated American Rescue Plan Act (ARPA) funds for essential workers, including Fire Wages; and

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to further amend the 2021 budget to reconcile the year end allocation to the 2021 Fire budget; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on January 19, 2022.

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 Fire budget for ARPA funds allocated for essential workers as follows:

- (i) \$563.90 increase revenue budget line A.44089.F0015 (Fed.Aid-Stimulus)
- (ii) \$563.90 increase expense budget line A3410.51000.F0015 (Fire Wages-ARPA)

Section 2. That this Ordinance shall take effect immediately.

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

  
\_\_\_\_\_  
Chuck Shager, Comptroller

BAL



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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2021  
FINANCE BUDGET FOR TEMPORARY  
SERVICES**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2021 Finance budget for temporary services; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on January 19, 2022.

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 Finance budget for temporary services as follows:

Transfer From (Decrease):

\$100 A1310.51900 (Finance-Overtime)  
100 A1310.52001 (Finance-Office Equip.)  
200 A1310.54101 (Finance-Office Supp.)  
\$400

Transfer To (Increase):

\$400 A1310.51800 (Finance-Temp.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



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

Date: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022  
FINANCE, LAW, AND CONTINGENCY  
BUDGETS FOR TEMPORARY PERSONAL  
SERVICES**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2022 Finance, Law, and Contingency budgets for temporary and personal services; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on January 19, 2022.

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 2022 Finance, Law, and Contingency budgets for temporary personal services as follows:

Transfer From (Decrease):

\$25,000 A1990.55000 (Contingency)

Transfer To (Increase):

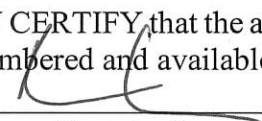
\$20,000 A1310.51800 (Temp.Ser.)

5,000 A1420.51800 (Temp.Ser.)

\$25,000

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: January 19, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND PERMANENT  
ORDINANCE 21-142 FOR LEGAL FEES**

WHEREAS, pursuant to Permanent Ordinance 21-142, dated December 8, 2021, City Council amended the 2021 Sewer budget for legal fees; and

WHEREAS, Permanent Ordinance 21-142 inadvertently omitted two additional amendments; and

WHEREAS, the two additional amendments are set forth herein as [New] Section 2; and

WHEREAS, such additional budget amendments were approved by the Board of Estimate and Apportionment on January 19, 2022.

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

Section 1. That Permanent Ordinance 21-142 is hereby amended to delete Sections 1 and 2, and that the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend Permanent Ordinance 21-142 to 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 the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2021 Sewer budget as follows:

- (i) \$120,006.90 increase revenue budget line G42210 (Other Gov't Revenue)
- (ii) \$120,006.90 increase expense budget line G8150.54430 (Legal Fees)

Section 3. That this Ordinance shall take effect immediately.

Section 2. That this Ordinance, as amended, 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: January 19, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO A CONTRACT WITH THE  
NEW YORK STATE OFFICE OF TEMPORARY  
AND DISABILITY ASSISTANCE (OTDA) TO  
ASSIST LOW INCOME RESIDENTIAL  
HOUSEHOLDS WITH WATER/SEWER  
CHARGES IN ARREARS

WHEREAS, the City of Binghamton wishes to enter into a contract with the New York State Office of Temporary and Disability Assistance (OTDA) to assist low income residential households with water/sewer charges in arrears; and

WHEREAS, the proposed contract is attached hereto.

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 a contract, approved as to form and content by the Office of Corporation Counsel, with the New York State Office of Temporary and Disability Assistance (OTDA) to assist low income residential households with water/sewer charges in arrears.



**NEW YORK STATE LOW INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM  
VENDOR AGREEMENT**

This Agreement (“Agreement”) shall govern the purchase of water services from the Water Service Provider (Vendor) on behalf of households eligible for the Low Income Household Water Assistance Program (LIHWAP). Federal funds awarded under LIHWAP shall be used as part of an overall emergency effort to prevent, prepare for, and respond to the COVID-19 pandemic, with the public health focus of ensuring that low income households have access to drinking water and wastewater services. The funds will be used to cover and/or reduce arrearages, rates and fees associated with reconnection or prevention of disconnection of services. If funding is available, the New York State Office of Temporary and Disability Assistance (NYS OTDA) will evaluate providing bill assistance to eligible households to reduce the household’s cost for drinking water and wastewater services. This Agreement is a contract between NYS OTDA and the Vendor for the provision of direct vendor payments to assist low income households with drinking water and wastewater reconnection and ongoing services.

The parties acknowledge that this Agreement and the services provided by the Vendor are governed by and subject to federal laws and regulations in addition to issued federal and State guidance in relation to the Low Income Household Water Assistance Program.

In order to receive LIHWAP payments on behalf of eligible households, the Vendor agrees and assures to NYS OTDA to abide by the below listed provisions contained in this agreement. Drinking water and/or wastewater service benefits paid directly to Vendors will be issued through the NYS Office of the State Comptroller (NYS OSC).

1. Households receiving assistance from LIHWAP shall not be treated adversely on the basis of receipt of such assistance under applicable provision of the LIHWAP Supplemental Terms and Conditions 11h under Federal LIHWAP Assistance Listing No. 93.568(B) (with modifications based on P.L. 116-260).
2. Vendors will not discriminate, either in the costs of goods supplied or the services provided, against the household on whose behalf LIHWAP payments are made.
3. The Vendor understands that payment and satisfaction of any claims under LIHWAP will be made by NYS OTDA, through the NYS OSC. The Vendor further understands that they must comply with all applicable requirements of the Consolidated Appropriations Act of 2021 (CAA) and the American Rescue Plan Act of 2021 (ARPA), as well as all applicable policy determinations and directives of the NYS OTDA. The Vendor may be prosecuted under applicable federal and/or State law for false claims, statements or documents or concealment of material fact.
4. The Vendor agrees to accept all LIHWAP benefits authorized on behalf of residential customers and without imposing any conditions precedent. “Residential customer” is defined in accordance with Title 16 of the New York Compilation of Codes, Rules and Regulations, Part 14.2(b)(18).
5. The Vendor agrees to continue, establish or reestablish service for LIHWAP authorized residential customers and maintain such service for such LIHWAP authorized residential customer for ninety (90) calendar days after receipt of each LIHWAP benefit authorized and received on behalf of residential customers.

6. The Vendor agrees that arrears are charges for which payment has not been made more than 20 calendar days after payment was due. A payment is considered to be made on the date when it is received by the Vendor or one of its authorized agents. Payment is due whenever specified by a Vendor on its bill, as long as the date is not before the bill is hand-delivered to the customer, or less than three (3) calendar days after the bill is mailed.
7. Vendors may not transfer or cash-out LIHWAP benefits to recipients. Unexpended funds due to account closing and/or incorrect payments and funds that are unable to be credited to a recipient's account must be returned to NYS OTDA no later than thirty (30) business days after discovery, or September 30<sup>th</sup> of the current program year, whichever comes first, or upon request by NYS OTDA. A LIHWAP Vendor Refund Form must accompany all refunds. The vendor must contact NYS OTDA for a copy of this form at: [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov).
8. The Vendor cannot apply LIHWAP payments to commercial accounts for non-residential services. LIHWAP payments must only be applied to LIHWAP authorized residential customer accounts.
9. The Vendor shall maintain an accounting system and supporting fiscal records adequate to audit for a period of not less than three program years (current year plus three years) and will otherwise verify the proper disbursement of LIHWAP funds. The Vendor shall allow NYS OTDA representatives access to all books and records relating to LIHWAP households for the purpose of compliance verification with this Agreement.
10. The Vendor shall permit and cooperate with federal and/or State audits and/or investigations undertaken in accordance with the CAA, and ARPA, and also any State and/or county investigations undertaken to ensure program integrity.
11. The Vendor shall treat all information relative to LIHWAP and, in particular, information relating to recipients, as confidential information, and shall not use any information so obtained in any manner except as necessary to the proper discharge of their obligation and the securement of their rights hereunder. The Vendor further agrees to protect all confidential information in accordance with all applicable federal and State laws, rules and regulations. The Vendor further agrees to abide, at a minimum, by the requirements set forth in Attachment 1, the OTDA Security and Confidentiality Terms.
12. The Vendor agrees to continue or restore service for the minimum time periods outlined in this agreement when notified by NYS OTDA that a LIHWAP benefit will be issued on behalf of an eligible household and vendor acknowledges acceptance of LIHWAP benefits. The time period begins from the date of the earliest notification by NYS OTDA.
13. The Vendor agrees to clearly identify the amount of LIHWAP payment(s) received in a manner which identifies the payment as received from LIHWAP on household statements, receipts, or accounts.
14. The Vendor understands that failure to cooperate with any Federal, State, or local investigation, audit, or program review may result in the immediate disqualification from participation in LIHWAP.
15. The Vendor agrees to take corrective action in the time frame specified by NYS OTDA if violations of this Agreement are discovered. Corrective action may include, but is not limited to, providing detailed documentation of changes made and detailed plans for future changes that will bring the Vendor into compliance. The vendor understands that failure to implement corrective actions may result in the immediate disqualification from participation in LIHWAP.
16. This Agreement shall remain in effect unless superseded by another Agreement or terminated by either party. A written agreement must be submitted thirty (30) business days in advance of the effective date to replace, modify or terminate the agreement.

7

17. Vendor agrees that any modification to this agreement must be reviewed and agreed to by NYS OTDA. Vendor agreement modification must be made in writing and submitted to NYS OTDA through [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov).

Check here to hereby declare to the New York State Office of Temporary and Disability Assistance (NYS OTDA) that you, the vendor or vendor's representative, have the authority to bind such vendor, that you have read and understand the above, and that it is your intention to sign and submit this Vendor Agreement on behalf of the vendor to NYS OTDA, and further agree that the vendor will comply with and abide by the Vendor Agreement while participating as a Vendor in the New York State Low Income Household Water Assistance Program.

Vendor or Vendor's Representative name \_\_\_\_\_

Vendor or Vendor's Representative signature \_\_\_\_\_

Vendor Business Name \_\_\_\_\_

Address \_\_\_\_\_

Vendor TIN \_\_\_\_\_

Vendor Type:

\_\_\_\_\_ Drinking Water

\_\_\_\_\_ Wastewater

\_\_\_\_\_ Combined Drinking Water/Wastewater

Primary Contact \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

FAX \_\_\_\_\_

Secondary Contact \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

FAX \_\_\_\_\_

8



## New York State Low Income Household Water Assistance Program New Vendor Information

The Low Income Household Water Assistance Program (LIHWAP) helps low income households pay the cost of drinking water and wastewater services. The program can assist households who have past due bills (arrears) for drinking water and/or wastewater services.

### Eligibility

Eligibility and benefits are based on:

- income,
- household size, and
- amount owed to drinking water and/or wastewater provider(s).

### Benefits

LIHWAP is a benefit based on the actual amount of drinking water and/or wastewater arrears, up to a maximum of \$2,500 per drinking water or wastewater services, or \$5,000 if drinking water and wastewater services are combined, per applicant household. Benefits are paid directly to the household's drinking water and/or wastewater vendor(s).

### Vendor Portal

#### Payment Information

Vendors must utilize the State Financial System (SFS) Vendor Portal to access payment remittance information. The remittance payment information in the vendor portal will contain the customer's name, account number and address.

The Vendor Portal may be accessed at [www.sfs.ny.gov](http://www.sfs.ny.gov)

Vendors who need assistance enrolling in the online Vendor Self Service application should contact the Statewide Financial System (SFS) Help Desk at either **(855) 233-8363** or [helpdesk@sfs.ny.gov](mailto:helpdesk@sfs.ny.gov)

All vendors should enroll in the direct deposit option offered by the Office of the State Comptroller (OSC). This process will ensure that payments are deposited directly into the bank account of your choice and eliminate the possibility of lost checks. Vendors may enroll electronically through the vendor portal or by using the Electronic Payment (e-payment) Request form (AC3243-S) available in the vendor portal. The E-payment request form must be returned to the Office of the State Comptroller Vendor Management Unit. All information to return the form is located at the bottom of the AC3243-S. Should you have any questions, contact the SFS Help Desk by phone: **(855) 233-8363** or email: [helpdesk@sfs.ny.gov](mailto:helpdesk@sfs.ny.gov).

The Office of the State Comptroller's (OSC) State Vendor Resource Page is available on their website. It provides information and guidance to vendors regarding their payments and how to



## Office of Temporary and Disability Assistance

view them through the self-service vendor portal. The vendor resource page can be accessed at <https://www.osc.state.ny.us/state-vendors>

### **Refunds and Erroneous Payments**

Vendors must return any incorrect payments. These credits must be returned to OTDA with the LIHWAP Vendor Refund Form. Please contact the NYS LIHWAP Bureau for assistance with refunds at [NYSLIHWAP.vendor@otda.ny.gov](mailto:NYSLIHWAP.vendor@otda.ny.gov).

**Under no circumstances should a LIHWAP credit be refunded to a customer.**

### **Missing Checks**

Vendors who did not receive a payment due to their company should contact the OTDA LIHWAP Bureau for resolution. This process may take approximately four weeks.

### **Vendor Contact Information**

**Address:**

NYS OTDA / LIHWAP Bureau  
PO Box 1789  
Albany, NY 12201

**Telephone:** (833) 690-0208 (follow vendor prompts)

**FAX:** (518) 486-1259

**New York State OTDA LIHWAP Hotline:** 833-690-0208

**New York State OTDA LIHWAP WEBSITE:** [www.otda.ny.gov/programs/LIHWAP](http://www.otda.ny.gov/programs/LIHWAP)

**New York State OTDA LIHWAP Vendor EMAIL:** [NYSLIHWAP.Vendor@otda.ny.gov](mailto:NYSLIHWAP.Vendor@otda.ny.gov)

# New York State Low Income Household Water Assistance Program

## Do you need help paying for overdue water and wastewater bills?

The Low Income Household Water Assistance Program (LIHWAP) can help.

LIHWAP is a drinking water and wastewater emergency assistance program funded through new federal resources. Benefits are based on the amount of unpaid water and wastewater bills owed by applicants. This assistance is targeted at low income households and income guidelines will mirror that of the Home Energy Assistance Program.

LIHWAP benefits are based on the actual amount of drinking water and/or wastewater arrears, up to a maximum of \$2,500 per drinking water or wastewater provider, or \$5,000 if drinking water and wastewater services are combined, per household. Benefits are paid directly to the household's drinking water and/or wastewater vendor(s).

Eligibility and benefits are based on:

- income,
- household size,
- household includes a U.S. citizen, U.S. national, or qualified alien, and
- amount owed to drinking water and/or wastewater provider(s).

Primary applicants must provide:

- Proof of identity
- Proof of residence
- Documentation of earned and unearned income
- A drinking water, wastewater, or combined drinking water and wastewater bill listing their permanent and primary residence
- A valid Social Security Number (SSN)
  - SSNs of additional household members will be requested

For more information, visit <https://otda.ny.gov/LIHWAP>





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

Date: January 19, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE  
ACCEPTANCE OF \$8,877.70 FROM THE  
BROOME COUNTY STOP-DWI PROGRAM FOR  
OVERTIME PATROL IN 2021

WHEREAS, the City of Binghamton is eligible to receive \$8,877.70 from the Broome County Stop-DWI program for overtime patrol in 2021; and

WHEREAS, this award is related to the Stop-DWI grant; and

WHEREAS, the City wishes to accept said funds.

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 execute any and all documents, approved as to form and content by the Office of Corporation Counsel, to accept \$8,877.70 from the Broome County Stop-DWI program; and the Comptroller is authorized to amend the budget accordingly.