

Legal Counsel Approval BAL
RL 22-17

Introductory No. 022-17
Permanent No. 022-17



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

Date: February 9, 2022

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

Introduced by Committee: Planning

ORDINANCE
entitled

AN ORDINANCE AUTHORIZING AN
EASEMENT THROUGH 1 AVON ROAD FOR
THE INSTALLATION OF UNDERGROUND
UTILITIES TO PROVIDE ELECTRICAL
SERVICE TO 2 STRATFORD PLACE

WHEREAS, the City of Binghamton is the owner of certain real property located at 1 Avon Rd., Binghamton, New York, Tax Parcel No. 160.69-1-11 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase (Easement) within the Premises for installation of underground utilities to provide electrical service to 2 Stratford Place for \$100 from Howard Kravitz and Amy Kunz (the "Applicant"); and

WHEREAS, the Federal Emergency Management Agency (FEMA) has approved placement of the underground line, which is attached.

WHEREAS, the Board of Estimate and Apportionment approved and recommended the easement on February 9, 2022.

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

Section 1. That the Mayor of the City of Binghamton, or his designee, is hereby authorized to grant an easement and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to Howard Kravitz and Amy Kunz, or the responsible utility company, for the installation of underground utilities within the Premises to provide electrical service to 2 Stratford Place, Binghamton New York.

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AN ORDINANCE AUTHORIZING AN EASEMENT
THROUGH 1 AVON ROAD FOR THE
INSTALLATION OF UNDERGROUND UTILITIES
TO PROVIDE ELECTRICAL SERVICE TO 2
STRATFORD PLACE

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

Date 2/9/22

Luzhita L. Nguyen
City Clerk

Date Presented to Mayor

2/10/22

Date Approved

[Signature]
Mayor

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

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 2/9/22. Approved
by the Mayor on 2/10/22 [Signature]

Department of Homeland Security
FEMA Region 2
One World Trade Center
52nd Floor, Mail Room
New York, New York 10007



FEMA

December 6, 2021

Ms. Marlene White
Chief of Mitigation Programs
New York State Division of Homeland Security and Emergency Services
1220 Washington Avenue
Building 7A, 4th floor
Albany, NY 12226-2251

Re: Hazard Mitigation Grant Program (HMGP)
FEMA-1957-DR-NY
Declared: February 18, 2011

Project: 1957-0002
City of Binghamton
Open Space Alternate Usage Request

Dear Ms. White:

This letter is in response to the New York State Division of Homeland Security and Emergency Services' (DHSES) November 16, 2021, request forwarded on behalf of the City of Binghamton (Subrecipient), for an open-space use of deed-restricted property at 1 Avon Road that the Subrecipient had acquired with HMGP funds under the above referenced sub-grant.

The City of Binghamton proposes to install an underground utility line that will cross the acquired property that will provide electric service to 2 Stratford Place. The subrecipient also provided a letter from the floodplain administrator who reviewed the project and deemed it acceptable. It was also noted that the property will be returned to its original condition after the work has been completed. As such, no construction or modification of the floodplain will occur and all requirements of 44 CFR Part 80.19 and 44 CFR Section 206.434 (e), as applicable, would be adhered to.

The proposed land use is consistent with permitted open space use of the property. The Federal Emergency Management Agency has reviewed the information provided for the property and hereby grants approval.

If you have any questions, please contact Sharon Edwards, Hazard Mitigation Assistance Branch Chief at (212) 680-3633.

Sincerely,

WILLIAM MCDONNELL
Digitally signed by WILLIAM MCDONNELL
Date: 2021.12.06 08:43:31 -05'00'

Michael F. Moriarty
Mitigation Division Director