



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Phil Strawn, City Council President

Leighton Rogers, City Clerk

CITY COUNCIL WORK SESSION AGENDA

City Hall, 38 Hawley St, Binghamton

6pm Tuesday, February 22, 2022

The Work Session begins at 6pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL/Topic	Pages	Presenter
6:00pm	Finance	Scaringi	RL22-50: Increase the Senior Crime Analyst position	1	David Bidwell
6:05pm	Finance	Scaringi	RL22-55: Amend the FY47 CDBG budget to purchase and equip a fire rescue truck	2-7	Al Gardiner
6:10pm	Finance	Scaringi	*RL22-51: Amend the BJCSB budget for chemicals, sludge and waste *RL22-52: Amend the BJCSB budget for gas/diesel, equipment & pump repairs *RL22-53: Amend the BJCSB budget for BAF legal expenses RL22-54: Amend the BJCSB budget for an additional Operator/Trainee	8-15	Charlie Pearsall
6:20pm	Finance	Scaringi	RL22-59: Designate all City parks, playgrounds, recreational facilities smoke free zones	16-21	Pat McGinnis
6:25pm	Finance	Scaringi	RL22-61: Amend the 2022 Central Services budget	22-23	Billie Goodson
6:30pm	Finance	Scaringi	RL22-56: Supplemental Agreement No. 1 for the Pedestrian Safety Improvements	24-27	Ron Lake
6:35pm	Planning	Scanlon	RL22-62: Extend the contract with First Ward Action Council	28-31	Steve Carson
6:40pm	Planning	Scanlon	RL22-57: Modify the bond ordinance for the Pedestrian Improvements	32-45	Chuck Shager
6:45pm	MPA	Scaringi	RL22-60: Modify the IMA water agreement with Town of Vestal	46-51	Chuck Shager
6:50pm	MPA	Scaringi	RL22-58: Rumble Ponies fireworks	52-54	Leighton Rogers
6:55pm	-----	-----	Discussion: Code		Councilman Scaringi
7:10pm	-----	-----	Pending Legislation: <i>*Found on the website calendar with the prior Work Session documents.</i> RL22-18: Sale of 75-77 Griswold Street RL22-18a: Abandonment of 75-77 Griswold Street RL22-27: Amend the 2021 Parks budget RL22-28: Extend the operating agreement for meal service at the First Ward Senior Center	---	Leighton Rogers



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			<p>RL22-30: Additional construction administration and construction observation services at the Rec Park Tennis Courts</p> <p>RL22-31: Amend the 2021 General fund for loss of revenue</p> <p>RL22-32: Amend the 2021 General fund to re-allocate ARPA funds for premium pay</p> <p>RL22-33: Amend the 2021 Golf fund for management lease and marketing expenses</p> <p>RL22-34: Extend the contract with Stop-DWI</p> <p>RL22-35: Amend the 2022 General Fund for Economic Development Professional Services</p> <p>RL22-36: Authorizing the Mayor to enter into an agreement with Wladis Law Firm</p> <p>RL22-38: Amend the 2022 Sewer budget for Project Analyst and Project Assistant</p> <p>RL22-39: Amend the Law budget to adjust the Assistant Corporation Counsel salary</p> <p>RL22-40: Amend the 2022 Mayors budget to adjust the Youth & Neighborhood Affairs salary</p> <p>RL22-41: Fund BURA to cover expenses for Mirabito Stadium</p> <p>RL22-42: Authorizing the Mayor to enter into an agreement with Peter Popovic for Mirabito Stadium improvements</p> <p>RL22-43: Authorizing the Mayor to enter into an agreement with Chianis & Anderson for Mirabito Stadium improvements</p> <p>RL22-45: Amend the DPW budget</p> <p>RL22-46: Additional funding for the 2021 Emergency Repairs to City owned streets & utilities contract</p> <p>RL22-47: Authorizing the Mayor to enter into an agreement with NYSDOT</p> <p>RL22-48: Amend the 2021 General Fund</p> <p>RL22-49: Commissioning by CJ Brown Energy for the new fire station</p>	
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COMMITTEE REPORTS

**Please Expedite for Next Business Meeting*



Legislative Branch

RL Number:
22-50
Date Submitted:
2/7/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: David Bidwell

Title/Department: Captain / Police Department

Contact Information: (607)772-7093

RL Information

Proposed Title: Resolution allowing the City of Binghamton Police Department to increase the Senior Crime Analyst Salary by \$6,000 taking the awarded salary from \$66,600 to \$72,600. Funds for the increase in salary will come from the Give Grant.

Suggested Content: Modifying the funding from the Give Grant to support an increase in salary for Senior Crime Analyst position.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): RL21-75

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Legislative Branch

RL Number:
22-55
Date Submitted:
2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Acting Chief Alan Gardiner

Title/Department: Fire Department

Contact Information: 607-772-7016

RL Information

Proposed Title: An Ordinance to amend the FY47 CDBG Budget to purchase and equip a fire rescue truck for the Binghamton Fire Department.

Suggested Content: Transfer attached.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:	<u>[Signature]</u>				
Comptroller:	<u>[Signature]</u>				
Corporation Counsel:	<u>[Signature]</u>				
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

CD7310.533536.CDY46	Columbus Park Improvements	\$ 500,000.00
CD7310.533536.CDY47	Columbus Park Improvements	\$ 300,000.00

transfer to

CD3410.XXXXXX.CDY47	Fire Equipment	\$ 800,000.00
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Binghamton Fire Bureau

Office of Fire Administration

Mayor, Jared M. Kraham
Fire Chief, Alan G. Gardiner

Mayor Kraham,

Regarding an update on the status of the Department's rescue truck:

The truck — Squad 21 — is at headquarters, currently in the temporary location on Court Street. The apparatus not only helps with fire suppression efforts, but is responsible for the equipment and operations of our technical rescue capabilities. The truck houses our “jaws of life” equipment, and supports confined space and rope rescue operations.

There is an immediate and critical need to replace this fire apparatus.

Squad 21 has had multiple high-pressure oil pump replacements. Two in the last year and two in recent past. These failures indicate the engine has a probability of a catastrophic failure. Current Mileage is 92,820 and 10,925 engine hours. The industry formula for hour to mileage calculation states: 1 hour engine run time equals 70 miles. Using that formula it roughly equals 765,000 miles of service. Industry normal heavy duty truck usage is 500,000 miles. Rescue 21 is more equivalent to severe service usage.

There are other factors that necessitate replacement as well, including body condition, dated emergency lighting and worn down on-board equipment (including generator and ladder racking).

My staff has been able to source a demo rescue truck that meets our specifications, which is available now. This cuts down on the typical 2+ year build time for new fire apparatus.

Alan G. Gardiner
Fire Chief

City of Binghamton
Bureau of Fire

38 Hawley Street, Binghamton, New York 13901

Phone: (607) 772-7016 Fax (607) 772-7173

aggardiner@cityofbinghamton.com

www.binghamton-ny.gov



IAFF Local 729
Binghamton Professional Fire Fighters
PO Box 1117 Binghamton, NY 13902

Mayor Kraham
38 Hawley Street
Binghamton, NY 13901

1/26/2022

Dear Mayor Kraham,

We write you this letter in support of the effort of Chief Gardiner and his staff in replacing our only Rescue Truck. This effort has been ongoing for several years but has been unsuccessful due to other department, city priorities and budgetary constraints. This truck plays a vital role in our departments mission not only in fire suppression but in other aspects of our operations such as technical rescue including extrication (jaws of life), rope rescue and confined space to name a few.

We feel at this point it has become a health and safety concern not only for the firefighters that operate the truck but for the citizens it protects. Outlined are some our immediate concerns;

- Per NFPA guidelines the truck is past its recommended use of 15 years as a front-line piece of apparatus.
- Because of its age it no longer meets numerous improved NFPA guidelines that have changed since its production, with which these guidelines protect the operating firefighters and citizens it is designed and used to protect.
- Based on our fire mechanics assessment, looking at previous mechanical issues, mileage and engine hours, catastrophic engine failure is not a matter of if, but when. Obviously, having a breakdown enroute to an emergency of any kind can cost lives. Also, the time out service is detrimental to our mission and the cost of repairs is an added negative.

Besides the numerous direct health and safety concerns, keeping this truck operational has been and will continue to be challenging and will grow as a budgetary drain. Numerous mechanical and body failures are costing the department and the city annually 10's of thousands of dollars to keep it in service.

It is our understanding through Chief Gardiner and his staffs' efforts, a demo rescue truck option has been identified and would save the taxpayer 100's of thousands and would be available for immediate acquisition as opposed to the current specification and production time of approximately 2.5 years. It is our assessment waiting this long would be harmful to the fire department operations and the city budget.

For all these reasons and more IAFF Local 729 and its members strongly advise for its immediate replacement. We are available for questions and appreciate you and city council making public safety a priority, not only for us, but the residents we all strive to serve and protect.

Respectfully,

David J. Holleran
IAFF Local 729
Union President
607-727-6515
dholleran@stny.rr.com

cc: Chief Gardiner – Fire Department Chief, Union file and station bulletin boards



APPARATUS PROPOSAL

January 28th, 2022

Bulldog Fire Apparatus hereby proposes to furnish to the City of Binghamton Fire Department the following Custom Ferrara MVP Rescue-Pumper apparatus to be built in accordance with the attached specifications, whether purchase is made via Bulldog contract or customer purchase order.

Quantity: **One (1) Custom Ferrara MVP Rescue-Pumper**

For the sum of **Six Hundred Ninety-Three Thousand Two Hundred Eleven 00/100 US Dollars**. (Plus applicable taxes if any)

CONTRACT TOTAL - \$693,211.00

Delivery is to be made subject to all clauses of the attached contract, within approximately **30 calendar days from receipt of signed contract**. Bulldog Fire Apparatus / Ferrara Fire Apparatus will not be liable for any delay, failure to make delivery, or other default due to strikes or labor unrest, war, riot, federal, state or local government action, fire, flood or other disaster or acts of God, accidents, breakdown of machinery, lack of or inability to obtain materials, parts or supplies, or any other causes or circumstances beyond the reasonable control of Bulldog Fire Apparatus / Ferrara Fire Apparatus which prevent or hinder manufacturing and/or delivery of the proposed apparatus. Bulldog Fire Apparatus reserves the right to withdraw this proposal, if not accepted within **thirty (30) days** from the above date is hereby acknowledged.

Respectfully submitted by,

Marc G. Mazza

(Marc G. Mazza, Vice President of Sales)

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Dealer Supplied Loose Equipment List

Item	QTY	Description	Cost Per Item	Total
1	4	Smooth Bore Nozzle 1.5"	\$ 700.00	\$ 2,800.00
2	1	TFT Midmatic fog nozzle 1.5" 75psi	\$ 1,350.00	\$ 1,350.00
3	1	Smooth Bore 2.5"	\$ 875.00	\$ 875.00
4	6	Spanner Wrench	\$ 55.00	\$ 330.00
5	4	Storz Spanner Wrench	\$ 35.00	\$ 140.00
6	1	Hydrant Wrench	\$ 105.00	\$ 105.00
7	2	Gate Valve 2.5	\$ 664.00	\$ 1,328.00
8	2	Water Can	\$ 325.00	\$ 650.00
9	2	Water can harness	\$ 80.00	\$ 160.00
10	1	10# dry Chem Extinguisher	\$ 140.00	\$ 140.00
11	2	2.5"female to 5"Storz fitting	\$ 352.00	\$ 704.00
12	4	6' steel NY roof hook	\$ 225.00	\$ 900.00
13	5	Vulcan LED Flashlight	\$ 210.00	\$ 1,050.00
14	1	12 Volt Winch	\$ 3,200.00	\$ 3,200.00
15	5	NRS PFD	\$ 255.00	\$ 1,275.00
16	1	Milwaukee Junkyard Dog Kit	\$ 2,200.00	\$ 2,200.00
17	1	Little Giant 11FT (if not already on rig)	\$ 410.00	\$ 410.00
18	1	Aztek	\$ 550.00	\$ 550.00
19	2	Clutch	\$ 710.00	\$ 1,420.00
20	1	Arizona Vortex Kit Tripod/High Directional	\$ 5,600.00	\$ 5,600.00
21	1	Stokes Basket	\$ 1,025.00	\$ 1,025.00
22	1	Tempest Battery PPV fan	\$ 4,000.00	\$ 4,000.00
23	3	8# flathead axes	\$ 170.00	\$ 510.00
24	2	4' D handle plaster hook	\$ 90.00	\$ 180.00
25	3	Leatherhead tools 30" halligan	\$ 310.00	\$ 930.00
26	1	Power Hawk Auto Crib (Red)	\$ 1,268.00	\$ 1,268.00
27	2	25 Ft 3/8 Chain	\$ 300.00	\$ 600.00
28	1	Steel Drill Bit Index	\$ 270.00	\$ 270.00
29	1	Kobalt 250 Piece tool Kit	\$ 245.00	\$ 245.00
30	1	American Forge and Foundry Bottle Jack	\$ 486.00	\$ 486.00
31	1	50 Ft. Extension Cord - heavy duty	\$ 49.00	\$ 49.00
32	1	Bullard Eclipse LDX TIC Camera	\$ 7,500.00	\$ 7,500.00
33	1	TIC desktop charger	\$ -	\$ -
34	1	Tic battery	\$ -	\$ -
35	7	Mercedes 5" hose 100Ft	\$ 950.00	\$ 6,650.00
36	2	Mercedes 5" hose 50Ft	\$ 600.00	\$ 1,200.00
37	1	Mercedes 5" hose 25Ft	\$ 410.00	\$ 410.00
38	20	Mercedes 1-3/4" 50Ft w/way out couplings	\$ 230.00	\$ 4,600.00
39	16	Mercedes 2-1/2" 50Ft w/ way out couplings	\$ 306.00	\$ 4,896.00
40	1	Sensit Gas Meter	\$ 2,400.00	\$ 2,400.00
41	1	Rabbit Tool	\$ 4,156.00	\$ 4,156.00
42	1	R-Tool Kit	\$ -	\$ -
43	2	2.5" to 1.5" gated Y	\$ 632.00	\$ 1,264.00
44	1	Oxyacetylene Torch Kit	\$ 475.00	\$ 475.00
45	1	Pneumatic Control Kit	\$ 5,200.00	\$ 5,200.00
46		Maxiforce Bags (Various Sizes)		
47	1	15" X 15"	\$ 1,300.00	\$ 1,300.00
48	1	15" x 21"	\$ 1,400.00	\$ 1,400.00
49	1	20" x 20"	\$ 1,700.00	\$ 1,700.00
50	1	Highway Stabilization Kit	\$ 10,500.00	\$ 10,500.00
51	1	Husky Chainsaw 18" Bar	\$ 49.00	\$ 49.00
52	1	Scott Mobil Air Cart w/air tool fittings	\$ 4,200.00	\$ 4,200.00
53	4	SCBA cylinder 5500 CGA, not snap	\$ 1,900.00	\$ 7,600.00
54	1	Starlite 10.5 Ft. Inflatable Raft	\$ 2,600.00	\$ 2,600.00
55	4	60" Paddle	\$ 35.00	\$ 140.00
56	2	2.5" double males	\$ 38.00	\$ 76.00
57	2	2.5" double female	\$ 66.00	\$ 132.00
58	3	5" storz to 2.5" male	\$ 315.00	\$ 945.00
59	1	Lockout tagout kit	\$ 80.00	\$ 80.00
			TOTAL	\$ 104,223.00



Expedite

Legislative Branch

RL Number:
22-51
Date Submitted:
2/7/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 607-729-2975

RL Information

Proposed Title: Ordinance to amend the BJCSB 2021 Budget to transfer appropriated funds for Chemicals, Sludge and Waste Hauling and Water expense lines from Contingency

Suggested Content: The Board requests the Owners to process legislation to amend the 2021 Budget appropriations for Chemicals (J8130.54150) in the amount of \$57,500, Sludge and Waste Disposal (J8130.54804) of \$25,000, and Water (J8130.54221) of \$^{7,200}~~5,000~~, with the total amount of \$^{89,700}~~87,500~~ to be transferred out of Contingency (J8130.55000)

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:	_____				
Comptroller:	_____				
Corporation Counsel:	_____				
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

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Expedite

Legislative Branch

RL Number: 22-52
Date Submitted: 2/9/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 607-729-2975

RL Information

Proposed Title: Ordinance to amend the BJCSB 2021 Budget to transfer appropriated funds for Gas/Diesel, Equipment & Pump Repairs and Equipment & Pump Repairs - Electrical

Suggested Content: The Board requests the Owners to process legislation to increase the 2021 Budget appropriations for Gas/Diesel (J8130.54112) in the amount of \$3,200, Equipment and Pump Repair (J8130.54621) by \$4,800, and Equipment and Pump Repairs-Electrical (J8130.54221) by \$1,500 with the offset of \$9,500 to be transferred out of Reimburse City Local Systems Cost (J8130.54000.JZ)

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance Planning MPA PW/Parks Employees Rules/Special Studies



Expedited

Legislative Branch

RL Number:
22-53
Date Submitted:
2/11/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 607-729-2975

RL Information

Proposed Title: Ordinance to amend the BJCSB 2021 Budget to transfer appropriated funds for BAF Legal expenses

Suggested Content: The Board requests the Owners to process legislation to increase the 2021 Budget appropriations for Legal Services - BAF (J8130.54430.J0BAF) in the amount of \$900,000 based on estimate provided by Hinckley, Allen and Snyder, LLP and requests the City Comptroller to encumber the unspent balance into the 2022 Budget. List of accounts to be credited is attached with back-up.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance Planning MPA PW/Parks Employees Rules/Special Studies

Litigation Budget Form

Date:	10-Aug-21
Matter Name:	C&S/Inflico/CO Falter

EXPENSE ANALYSIS SUMMARY						
Timekeeper Name	JJB	NRS	SDR			
Hourly Rate	\$	600.00	\$	450.00	\$	400.00
Total Project Fees	Hours	Amount	Hours	Amount	Hours	Amount
Case Assessment, Development and Administration	0.0	0.0	0.0	0.0	0.0	0.0
Pre-Trial Pleadings and Motions	65.0	110.0	85.0	260.0		
Discovery	10.0	210.0	45.0	265.0		
Trial Preparation and Trial	350.0	480.0	150.0	980.0		
Appeal	0.0	0.0	0.0	0.0		
Total Hours	425.0	800.0	280.0	1505.0		
Total Dollars	\$ 255,000.00	\$ 360,000.00	\$ 112,000.00	\$ 727,000.00		
Total Expenses				\$ 335,500.00		
TOTAL FEES & EXPENSES				\$ 1,062,500.00		

Note: This budget assumes the following:
 - Discovery should conclude early-2022
 - Parties will prepare and exchange expert reports and rebuttals reports in early- to mid-2022
 - Numerous defendants will make dispositive motions in the 2nd or 3rd Quarter of 2022
 - Trial (6 to 8 weeks) will begin in late-2022
 - Potential settlement discussions before trial, but following dispositive motions
 - Appeals, if any, will not occur until 2023

Task/Expense	Amount
E119 Experts	\$250,000.00
E101 Copying	\$2,500.00
E115 Deposition transcripts	\$5,000.00
E116 Trial transcripts	\$8,000.00
E113 Subpoena fees	\$1,500.00
E111 Meals	\$1,500.00
E117 Trial exhibits	\$1,000.00
E112 Court fees	\$1,000.00
E124 Other	\$15,000.00
E110 Out-of-town travel	\$50,000.00
Total	\$335,500.00

HAS utilizes and bills for its own internal eDiscovery system to maintain and review discovery documents in this matter.

Case Assessment, Development and Administration					
Task	JJB		NRS		SDR
	Hours	Amount	Hours	Amount	Amount
	0.0	\$ -	0.0	\$ -	\$ -
Subtotal	0.0	\$ -	0.0	\$ -	\$ -
			TOTAL	\$ -	\$ -

Pre-Trial Pleadings and Motions					
Task	JJB		NRS		SDR
	Hours	Amount	Hours	Amount	Amount
L230 Court-mandated conferences	10.0	\$ 6,000.00	10.0	\$ 4,500.00	\$ -
L240 Dispositive Motions	40.0	\$ 24,000.00	80.0	\$ 36,000.00	\$ 32,000.00
L160 Settlement/Non-binding ADR	15.0	\$ 9,000.00	20.0	\$ 9,000.00	\$ 2,000.00
Subtotal	65.0	\$ 39,000.00	110.0	\$ 49,500.00	\$ 34,000.00
			TOTAL	\$ 122,500.00	\$ 122,500.00

corrected January 2022

Discovery						
Task	JJB		NRS		SDR	
	Hours	Amount	Hours	Amount	Hours	Amount
L310 Written Discovery	-	\$ -	10.0	\$ 4,500.00	-	\$ -
L330 Depositions	-	\$ -	120.0	\$ 54,000.00	10.0	\$ 4,000.00
L350 Discovery Motions	5.0	\$ 3,000.00	40.0	\$ 18,000.00	20.0	\$ 8,000.00
L390 Other Discovery	5.0	\$ 3,000.00	40.0	\$ 18,000.00	15.0	\$ 6,000.00
Subtotal	10.0	\$ 6,000.00	210.0	\$ 94,500.00	45.0	\$ 18,000.00
TOTAL					TOTAL	\$ 118,500.00

Trial Preparation and Trial						
Task	JJB		NRS		SDR	
	Hours	Amount	Hours	Amount	Hours	Amount
L420 Expert Witnesses	35.0	\$ 21,000.00	40.0	\$ 18,000.00	10.0	\$ 4,000.00
L430 Written Motions and Submissions	15.0	\$ 9,000.00	40.0	\$ 18,000.00	30.0	\$ 12,000.00
L440 Other Trial Preparation and Support	60.0	\$ 36,000.00	100.0	\$ 45,000.00	50.0	\$ 20,000.00
L450 Trial and Hearing Attendance	200.0	\$ 120,000.00	200.0	\$ 90,000.00	20.0	\$ 8,000.00
L460 Post-trial Motions and Submissions	40.0	\$ 24,000.00	100.0	\$ 45,000.00	40.0	\$ 16,000.00
Subtotal	350.0	\$ 210,000.00	480.0	\$ 216,000.00	150.0	\$ 60,000.00
TOTAL					TOTAL	\$ 486,000.00

Appeal						
Task	JJB		NRS		SDR	
	Hours	Amount	Hours	Amount	Hours	Amount
	0	\$ -	0	\$ -	0	\$ -
Subtotal	0.0	\$ -	0.0	\$ -	0.0	\$ -
TOTAL					TOTAL	\$ -

Potential Budgetary Funding Needed for NY Supreme Court Case " *V/JC, et.al. -vs- C&S Engineers, Inc., et.al.* ", per Hinckley, Allen, et.al. Corrected 01/2022 Estimate (as of 08/10/2021)

(NOTE: includes \$250,000.00 for Fees of Expert Witnesses [E119])

AMOUNT	ITEM
\$ 727,000.00	Estimated Fees for Attorney Time (from 08/10/2021 estimate, as corrected 01/2022)
\$ 335,500.00	Estimated Expenses (from 08/10/2021 estimate) - NOTE: includes \$250,000.00 for Fees of Expert Witnesses [E119]
\$ 1,062,500.00	Total Estimated Fees for Attorney Time plus Expenses (through verdict, not including collection or appeal work)

Bill Payment	Check Date	HAS Bill #	
\$ (35,719.75)	08/27/2021	147742	June 2021 Legal Services and Expenses
\$ (21,987.98)	09/10/2021	148159	July 2021 Legal Services and Expenses
\$ (29,713.85)	10/22/2021	149630	August 2021 Legal Services and Expenses
\$ (535.00)	10/22/2021	149631	2020 Auditor Response Letter Report re Litigation
\$ (34,047.57)	11/12/2021	150308	September 2021 Legal Services and Expenses
\$ (53,725.87)	12/17/2021	151616	October 2021 Legal Services and Expenses
\$ (16,195.26)	12/23/2021	152049	JSB Budget funded portion of November 2021 Legal Services and Exp.

\$ (191,925.28)	post-estimate payments from 2021 JSB Budget Line #J8130.54430.JØBAF for Legal Services and Expenses balance of November 2021 Legal Services and Expenses Unfunded in 2021 JSB Budget = \$ 21,528.99
\$ 870,574.72	unfunded balance of Estimate for Legal Services and Expenses (including unfunded portion of November 2021 billing)
\$ 29,425.28	contingency allowance (3.38%)
\$ 900,000.00	funding need

POTENTIAL SOURCES OF UNSPENT FUNDING IN 2021 JSB BUDGET TO MAKE-UP FUNDING NEED

\$ 340,000.00	J8130.54001.JG	Reimburse Village Debt Service Expense
\$ 260,000.00	J8130.54001.JZ	Reimburse City Debt Service Expense
\$ 136,000.00	J8130.55000	Contingency
\$ 130,000.00	J9060.58002.C	Health Insurance - Retirees
\$ 34,000.00	J8130.54656	Maintenance Agreements
\$ 900,000.00	subtotal - potential sources of unspent funding in 2021 JSB Budget to make-up Litigation Costs Funding Need	



Legislative Branch

RL Number:
22-54
Date Submitted:
2/11/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 729-2975

RL Information

Proposed Title: Ordinance to amend the BJCSB 2022 Budget to transfer funds needed to increase the apportionment for one additional Operator I/Trainee within the Personnel Services line.

Suggested Content: The Board requests the Owners to process legislation to amend the 2022 Budget appropriations for Personnel Services (reduction) to fund an Oper. I by defunding one Oper III. Overhead lines as detailed in the attached worksheet.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:	_____				
Comptroller:	_____				
Corporation Counsel:	_____				
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

The proposed Budget Modifications to accomplish these changes are as follows:

(based on Section 8.1.3 CBA-established "New Hire" Rates)

BUDGET LINE/NAME	OPERATOR III -1 @ up to \$29.89/hr.		OPERATOR I / OPERATOR TRAINEE +1 @ up to \$26.46/hr.		NET TOTAL MODIFICATION FOR BUDGET LINE	TRANSFER TO J8130.55000 CONTINGENCY
	\$		\$			
J8130.51000 Personal Services	\$	(50,215.00) (-21 pay periods only)	\$	38,373.00 (+21 pay periods only)	\$ (11,842.00)	\$ 11,842.00
J9010.58000.A State Retirement	\$	(4,895.00)	\$	3,741.00	\$ (1,154.00)	\$ 1,154.00
J9030.58000.B Social Security	\$	(3,841.00)	\$	2,935.00	\$ (906.00)	\$ 906.00
J9040.58000.D Workers Compensation	\$	(5,374.00)	\$	4,106.00	\$ (1,268.00)	\$ 1,268.00
TOTALS	\$	(15,170.00)	\$	(15,170.00)	\$ (15,170.00)	\$ 15,170.00



Legislative Branch

RL Number:

22-59

Date Submitted:

2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Pat McGinnis

Title/Department: Commissioner of Parks and Recreation

Contact Information: 607-772-7017 prmcginnis@gmail.com

RL Information

Proposed Title: Resolution to designate all City parks, playgrounds, and recreational facilities

(including park parking areas) tobacco and smoke free zones; this includes e-cigarettes and marijuana.

Suggested Content: See R-07-79 ^{+ R-10-48} and update language to include parks, playgrounds and

recreational facilities (including park parking areas) and e-cigarettes and marijuana.

ATTACHED.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R-07-79 + R-10-48

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input checked="" type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

WHEREAS the City wishes to establish all City parks, playgrounds, and recreational facilities (including park parking lots) as tobacco and smoke free zones: this includes e-cigarettes and marijuana; and

WHEREAS the Council of the City of Binghamton wishes to support this effort to the general health of its residents, to protect park users, and to protect and keep parks clean; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby

RESOLVE, that all City parks, playgrounds, and recreational facilities (including park parking lots) located within the City of Binghamton are hereby established as tobacco and smoke free zones: including e-cigarettes and marijuana, and that appropriate signage may be posted by the Commissioner of Parks and Recreation; and be it further

RESOLVED, that this resolution shall take effect immediately.

DRAFT
FOR
CORP. COUNCIL

Legal Counsel Approval
R.L. 07-154



Intro. No. R07-87
Perm. No. R07-79



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

Dated: August 6, 2007

Sponsored by Councilmember(s): Rennia, Weslar, Gerchman, Collins, Russo, Papastrat, Kramer
Introduced by Committee(s) on: Parks

RESOLUTION
entitled

A RESOLUTION TO BAN SMOKING AROUND
PLAYGROUNDS IN CITY PARKS

WHEREAS, smoking is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and

WHEREAS, secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year; and

WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fires and AIDS combined; and

WHEREAS, 80% of smokers started before the age of 18, and the average initiation age is 12 years old; and

WHEREAS, everyday an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will prematurely from tobacco related illness; and

WHEREAS, to help role model non-smoking behavior to children and youth; to provide children, youth and their families with a safe, smoke-free environment; and

WHEREAS, United Health Services has offered to donate tobacco-free zone signs.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session does hereby

RESOLVE, that playgrounds in the City of Binghamton be designated as tobaccos-free zones; and it is further

RESOLVED, that appropriate signage to be supplied by United Health Services will be posted designating tobacco-free zones; and it is further

RESOLVED, that this Resolution shall take effect immediately.

I HEREBY CERTIFY the above to be a true copy of a Resolution adopted by the Council of the City of Binghamton at a regular meeting August 6, 2007.
Approved by the Mayor August 7, 2007.

7/24/07  City Clerk

Intro. No. RD7-87
 Perm. No. R07-79

Sponsored by Council Members
 Rennia, Weslar, Gerchman, Collins, Russo,
 Papastrat, Kramer

**A RESOLUTION TO BAN SMOKING
 AROUND PLAYGROUNDS IN CITY
 PARKS**

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

August 6, 2007 (Date)
Shala Keating City Clerk

Date Presented August 7, 2007
 to the Mayor

Date Approved Aug 7 2007
Matthew T. Py Mayor

	AYES	NAYS	ABSENT
MASSAR	✓		
WESLAR	✓		
RENNIA	✓		
GERCHMAN	✓		
PAPASTRAT	✓		
KRAMER	✓		
RUSSO	✓		
COLLINS	✓		
CORDISCO			✓
TOTAL	8	1	

Adopted Defeated

8 Ayes / 1 Nays / 1 Abstained / 0 Absent

Wednesday, August 8, 2007

BRIEFING

BINGHAMTON

City bans smoking in parks

The city council Monday approved a measure that bans smoking in public parks. The move comes three months after Broome County passed a similar ban. Signs will be posted announcing the prohibition, which takes effect immediately.

— *Brian Liberatore*

Legal Counsel Approval 

R.L 10-075

Intro. No. R10-48

Perm. No. R10-48



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

Dated: May 19, 2010

Sponsored by Councilmember(s): Collins, Kramer, Massey, Webb, Weslar, Rennie

Introduced by Committee(s) on: Public Works/Parks and Recreation

RESOLUTION
entitled

**A RESOLUTION ESTABLISHING SMOKE-FREE
PARKS IN THE CITY OF BINGHAMTON**

WHEREAS the City wishes to establish all City parks, except for Ely Park Golf Course, which is operated by a third party, as "Smoke-Free Parks" prior to the official opening of all parks on May 31, 2010; and

WHEREAS the Council of the City of Binghamton wishes to support this effort to encourage the general health of its residents, to protect other Park users, and to protect and keep the Parks clean; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby

RESOLVE, that all parks located within the City of Binghamton are hereby established as "Smoke-Free Parks," and that appropriate signs be posted; and be it further

RESOLVED, that this Resolution shall take effect immediately.

I HEREBY CERTIFY the above to be a true copy of a Resolution adopted by the Council of the City of Binghamton at a regular business meeting held on May 19, 2010.
Approved by the Mayor on May 21, 2010.

(Angela Fagerstrom, City Clerk)



Legislative Branch

RL Number:
22-61
Date Submitted:
2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Billie Goodson
Title/Department: Central Services
Contact Information: 772-7025

RL Information

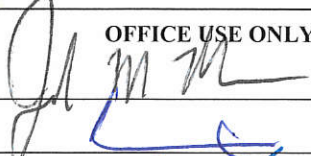


Proposed Title: Resolution to Amend 2022 Central Services budget

Suggested Content: The position of storekeeper is vacant and has been since late 2021, Teamsters contract requires the wage to go to 90% of contract (budgeted at 70%). The new rate of pay will be 21.5 effective March 12th. Funding will come from empty position since January (6796) and the remaining will come from A9060.58000C

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

		OFFICE USE ONLY			
Mayor:					
Comptroller:					
Corporation Counsel:					
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

From

A1660.51000 Personnel Wages-Storekeeper	1/1-3/11	6796
A9060.58000C Health Insurance		720

To

A1660.51000 Personnel Wages-Storekeeper	3/12-12/31	7516
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Legislative Branch

RL Number:
22-56
Date Submitted:
2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Ronald B Lake

Title/Department: City Engineer - Engineering

Contact Information: 772-7007

RL Information

Proposed Title: A Resolution Authorizing the Mayor to Enter into an Agreement with the

NYSDOT for Supplemental agreement 1 to federal aid local project agreement PSAP

9754.63 to perform the Preliminary engineering/design, ROW incidentals and ROW acquisitions.

Suggested Content: Authorizing the Mayor to enter into an agreement with the NYSDOT for the

estimated costs of Construction/Construction support/Construction Inspection work is \$808,650. The City

will be reimbursed 100% of \$700,000 with federal funds. Therefore, the city resolution must authorize

\$808,650 for this phase of the project. H5110.525321.20619

Budget Line Title?

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R19-42

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Legislative Branch

RL Number: _____
 Date Submitted: _____

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Ronald B Lake
Title/Department: City Engineer - Engineering
Contact Information: 772-7007

RL Information

Proposed Title: A Resolution Authorizing the Mayor to Enter into an Agreement with the
NYS DOT for Supplemental agreement 1 to federal aid local project agreement PSAP
9754.63 to perform the Preliminary engineering/design, ROW incidentals and ROW acquisitions.

Suggested Content: Authorizing the Mayor to enter into an agreement with the NYS DOT for the
estimated costs of Construction/Construction support/Construction Inspection work is \$808,650. The City
will be reimbursed 100% of \$700,000 with federal funds. Therefore, the city resolution must authorize
\$808,650 for this phase of the project. H5110.525321.20619

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R19-42

OFFICE USE ONLY						
Mayor:	_____					
Comptroller:	_____					
Corporation Counsel:	_____ <i>BR</i>					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>	



Department of
Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

BRIAN KELLY, P.E.
Acting Regional Director

January 31, 2022

Ron Lake, P.E.
City Engineer
City of Binghamton
38 Hawley Street
Binghamton, New York 13901

Dear Mr. Lake:

**RE: PIN 9754.63, D036291
City of Binghamton Pedestrian Safety Improvements
City of Binghamton, County of Broome**

Enclosed for processing are five copies of Supplemental Agreement #1 to Federal Aid Local Project Agreement (D036291) to perform the Preliminary Engineering/Design and Construction, Construction Support and Construction Inspection work. The work involves the improvement of pedestrian safety on multiple roadways within the City of Binghamton, County of Broome. This is a Locally Administered Project.

All five copies must have original signatures and all five copies must be notarized. In addition, five certified copies of the necessary City Resolution must accompany the Agreements (a sample resolution is included in the agreement). Please return all five copies to our Regional Office at 44 Hawley Street, Binghamton, NY 13901 for further processing. A completed copy will be returned to you once the agreement has been fully executed.

The estimated cost for the Construction/Construction Support/Construction Inspection work is \$808,650. The City will be reimbursed 100% of \$700,000 with Federal funds. Therefore, the necessary City Resolution must authorize \$808,650 for this phase of the project.

If you have any questions or need assistance in this matter, please contact Laura Martin in our Regional Planning and Program Management Office at (607) 217-6563.

Sincerely,


80 Pamela M. Eshbaugh, P.E.
Regional Planning & Program Manager

PME/LH
ENC

c: L. Martin, Region 9 Planning and Program Management Office
D. MacEwan, Region 9 Planning and Program Management Office
L. Halaburka, Region 9 Planning and Program Management Office
File – 975463-4
Blue



Legislative Branch

RL Number:
22-62
Date Submitted:
2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Stephen Carson

Title/Department: HUD Manager

Contact Information: stcarson@cityofbinghamton.com

RL Information

Proposed Title: Amendment to 2021 agreement with First Ward Action Council

Suggested Content: Amend the 2021 CDBG contract with First Ward Action Council to extend the contract until June 30, 2022. Total funding shall remain the same

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R21-31

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input checked="" type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



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

Date: April 21, 2021

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

Introduced by Committee: Planning

RESOLUTION

entitled

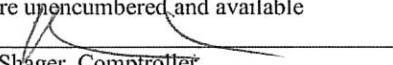
**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AGREEMENTS WITH
VARIOUS AGENCIES FOR THE USE OF FY46
CDBG FUNDS**

WHEREAS, the Manager, HUD Administration and Housing, recommends entering into agreements with various agencies to for the use of FY46 CDBG funds.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into agreements, approved as to form and content by the Office of Corporation Counsel, with various agencies for the use of FY46 CDBG funds, in the amounts set forth in the attachment annexed hereto.

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



Chuck Shager, Comptroller

Introductory No. R21-31

Permanent No. R21-31

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

A RESOLUTION AUTHORIZING THE MAYOR TO
ENTER INTO AGREEMENTS WITH VARIOUS
AGENCIES FOR THE USE OF FY46 CDBG FUNDS

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

Date 4/21/2021

City Clerk [Signature]

Date Presented to Mayor 4/22/2021

Date Approved 4/22/2021

Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Searingi	✓			
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilwoman Resciniti	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 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 4/21/2021. Approved by the Mayor on 4/22/2021 [Signature]

Agency	Program	Funding Line	Amount
Boys & Girls Club	Teen Center	CD7310.533516.CDY46 (YOUTH PROGRAMMING)	\$20,000
Boys & Girls Club	After Hours	CD7310.533516.CDY46 (YOUTH PROGRAMMING)	\$50,000
Metro Interfaith	Binghamton Homeownership Academy	CD8668.533530.CDY46 (BING HOMEOWNERSHIP ACADEMY)	\$16,000
First Ward Action Council	Senior Home Repair Program	CD8668.533531.CDY46 (SENIOR REPAIR PROGRAM)	\$85,000
Fairview Recovery Services	Opioid Addiction case Worker	CD8676.533555.CDY46 (OPIOD ADDICTION RECOVERY)	\$45,000
Mental Health Association of the Southern Tier	Mobile Crisis Service	CD8676.533559.CDY46 (MHAST MOBILE CRISIS SERVICES)	\$35,000
Fairview Recovery Services	HMIS User Fee	CG6142.533550.CDY46 (ESG-PROGRAM FUNDS)	\$1,720



Legislative Branch

RL Number: <u>22-57</u>
Date Submitted: <u>2/16/22</u>

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: CHUCK SHAGER

Title/Department: COMPTROLLER/FINANCE

Contact Information: 607-772-7011

RL Information

Proposed Title: Ordinance to modify the 2019 Bond ordinance to modify the Pedestrian Improvements and Traffic Signals projects

Suggested Content: see attached bond ordinance

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): O19-16

OFFICE USE ONLY					
Mayor:	<u>[Signature]</u>				
Comptroller:	<u>[Signature]</u>				
Corporation Counsel:	<u>BAL</u>				
Finance <input type="checkbox"/>	Planning <input checked="" type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

PHONE: 212-820-9300
FAX: 212-514-8425

7 WORLD TRADE CENTER
250 GREENWICH STREET
NEW YORK, NY 10007
WWW.HAWKINS.COM

NEW YORK
WASHINGTON
NEWARK
HARTFORD
LOS ANGELES
RALEIGH
SACRAMENTO
SAN FRANCISCO
PORTLAND
ANN ARBOR

(212) 820-9620

February 10, 2022

City of Binghamton, New York
Amending Bond Ordinance for Various Purposes
(Our File Designation: 5040/ 43161 & 45702)

Clarence Shager, Comptroller
City of Binghamton
City Hall
38 Hawley Street
Binghamton, New York 13901-3766

Dear Chuck:

Pursuant to your request, I have prepared and now send to you **an initial draft** of the Extract of Minutes of the Council meeting to be held on March 9, 2022 showing adoption of the above bond ordinance and providing for publication of such ordinance, *in summary*. ***The bond ordinance requires at least a two-thirds vote of the full Council for adoption, without taking into consideration any temporary absences or vacancies.***

A summary of the bond ordinance with the prescribed form of Clerk's statutory notice affixed in readiness for publication in the official City newspaper is also included. As you know, publication of the bond ordinance, in summary, commences a 20-day statute of limitations period pursuant to the provisions of Section 80.00 *et seq.* of the Local Finance Law. **The publication of the legal notice should be made as soon as possible following adoption of the ordinance by the Council.**

We understand from you that the necessary SEQRA review for the projects has been or will be completed prior to the adoption of this ordinance.

Please obtain and forward to me a certified copy of the Extract of Minutes and an original Affidavit of Publication, when available.

With best regards, I am

Very truly yours,



William J. Jackson

WJJ/ml
Enclosures
cc: Brian M. Seachrist, Esq., Corporation Counsel

EXTRACT OF MINUTES

Meeting of the Council of the City of Binghamton,

in the County of Broome, New York

March 9, 2022

* * *

A regular meeting of the Council of the City of Binghamton, in the County of Broome, New York, was held at the City Hall, Binghamton, New York, on March 9, 2022.

There were present:

Councilpersons:

There were absent:

Also present: Leighton Rogers, City Clerk

* * *

_____ offered the following ordinance and moved its adoption:

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

Date: March 9, 2022

Sponsored by Council Members:

Introduced by Committee: Finance

ORDINANCE

Entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED MARCH 9, 2022, AMENDING THE BOND ORDINANCE ADOPTED FEBRUARY 6, 2019 AND PREVIOUSLY AMENDED ON MAY 19, 2021, ON ACCOUNT OF THE PEDESTRIAN IMPROVEMENTS

Recitals

WHEREAS, the Council of the City of Binghamton (the “City”), in the County of Broome, New York, has heretofore duly authorized the issuance of bonds in the principal amount of not to exceed \$8,584,300 to finance various capital projects in and for the City, including (i) the improvements traffic signals, at an estimated maximum cost of \$500,000, all as specified in the bond ordinance adopted on February 6, 2019; and

WHEREAS, on May 19, 2021 the Council determined that the total cost of the improvements to the traffic signals was \$925,000, and it was necessary and in the public interest to increase the appropriation for such project by \$425,000 and to amend said bond ordinance to authorize the issuance of an additional \$425,000 bonds to finance said increased appropriation; and

WHEREAS, the Council has now determined that the total cost of the Pedestrian Improvements is \$850,000, and it is necessary and in the public interest to increase the appropriation for such project by \$360,700 and to further amend said bond ordinance to authorize the issuance of an additional \$360,700 bonds to finance said increased appropriation.

Now, therefore, be it

RESOLVED BY THE COUNCIL OF THE CITY OF BINGHAMTON, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section A. The bond ordinance of said City duly adopted by the Council of the City on February 6, 2019 and amended on May 19, 2021, entitled:

“BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 6, 2019 AND AMENDED MAY 19, 2021, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,009,300, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,009,300 TO FINANCE SAID APPROPRIATION,”

is hereby amended to read as follows:



Legal Counsel Approval _____

Introductory No. _____

RL15-145

Permanent No. _____

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

Date: March 9, 2022

Sponsored by Council Members: _____

Introduced by Committee: Finance

ORDINANCE

Entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 6, 2019, AMENDED MAY 19, 2021 AND FURTHER AMENDED MARCH 9, 2022, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,370,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,370,000 TO FINANCE SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for various capital improvements in and for the City, as more specifically described herein;

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:

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

Date: March 9, 2022

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the “City”), is hereby authorized to construct, acquire or undertake the various projects as described in Column A of said Schedule I, attached hereto and made a part hereof, at the estimated maximum costs indicated in Column B of said Schedule I. The estimated total cost of such projects, including preliminary costs and costs incidental thereto and the financing thereof, is \$9,370,000 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to **Ordinance Nos. 19-16, _____ and _____**. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$9,370,000 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. Debt service on the obligations herein authorized is expected to be paid from the respective funds of the City set forth in Column D of said Schedule I. Any grant funds received from the United States of America, the State of New York or from any other source, including the grant funds referenced in Column E of said Schedule I, in connection with the various projects described in Column A of said Schedule I, are authorized to be applied towards the cost of said projects or redemption of the City’s bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$9,370,000 are hereby authorized to be issued in the principal amounts indicated in Column C of said Schedule I for each of the respective objects or purposes indicated in Column A of said Schedule I, 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 respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes for which said bonds are authorized to be issued, within the limitations of §11.00 a. of the Law as referenced in Column G of said Schedule I, are set forth in Column F of said Schedule I.

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

Date: March 9, 2022

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

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

Date: March 9, 2022

- (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,

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. _____

Permanent No. _____

Sponsored by City Council Members:

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 6, 2019, AMENDED MAY 19, 2021 AND FURTHER AMENDED MARCH 9, 2022, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,370,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,370,000 TO FINANCE SAID APPROPRIATION

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

The ordinance was declared adopted.

Schedule I

2019 Capital Improvement Plan (as further amended)

A Project Description (Object or Purpose)	B Estimated Maximum Cost	C Amount of Bonds Authorized	D Fund	E Grant Funding Expected to be Received	F Period of Probable Usefulness	G PPU Section 11.00a. Reference
A. Construction of Improvements to City Hall	\$1,000,000	\$1,000,000	General	\$ 0	15	12(a)(2)
B. Street Reconstruction	2,500,000	2,500,000	General	0	15	20(c)
C. Construction of ADA Improvements to Ramps	750,000	750,000	General	0	15	12(a)(2)
D. Water Lines Improvements	500,000	500,000	Water	0	40	1
E. Sewer Lines Improvements	2,500,000	2,500,000	Sewer	0	40	4
F. Improvement to Morris Street Bridge over Park Creek	75,000	75,000	General	0	20	10
G. Pedestrian Improvements	850,000	850,000	General	700,000	10	24
H. Demo of State and Water Street Pedestrian Bridge	270,000	270,000	General	270,000	5	35
I. Traffic Signal Improvements	<u>925,000</u>	<u>925,000</u>	General	500,000	20	72(a)
Totals:	<u>\$9,370,000</u>	<u>\$9,370,000</u>				

CERTIFICATE

I, LEIGHTON ROGERS, City Clerk of the City of Binghamton, in the County of Broome, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Council of said City of Binghamton duly called and held on March 9, 2022, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Council and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract. Such ordinance was approved in writing by the Mayor of the City on _____, 2022 and by the Board of Estimate and Apportionment of the City on _____, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Binghamton this ____ day of _____, 2022.

(SEAL)

City Clerk

LEGAL NOTICE

The ordinance, a summary of which is published herewith, has been adopted by the Council of the City of Binghamton on March 9, 2022. Such ordinance was approved in writing by the Mayor of the City on _____, 2022 and by the Board of Estimate and Apportionment of the City on _____, 2022.

The validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Binghamton, in the County of Broome, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

DATE: March 9, 2022

LEIGHTON ROGERS
City Clerk, City of Binghamton, New York

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK,
ADOPTED FEBRUARY 6, 2019, AMENDED MAY 19, 2021 AND
FURTHER AMENDED MARCH 9, 2022, AUTHORIZING VARIOUS
CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING
THE ESTIMATED MAXIMUM COST THEREOF IS \$9,370,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND
AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,370,000 TO
FINANCE SAID APPROPRIATION

The objects or purposes for which the bonds are authorized is to finance various capital improvements in and for the City of Binghamton, as further described in the City's 2019 Capital Improvement Plan, as amended, at the estimated total cost of \$9,370,000.

The total amount of obligations authorized to be issued is not to exceed \$9,370,000. Any grant funds received from the United States of America, the State of New York or from any other source, are authorized to be applied towards the cost of said projects or redemption of the City's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

The periods of probable usefulness for the objects or purposes authorized by this bond ordinance are various periods ranging from 5 to 40 years.

A complete copy of the Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, City of Binghamton, City Hall, 38 Hawley Street, Binghamton, New York.

Dated: March 9, 2022
Binghamton, New York

ESTOPPEL CERTIFICATE

I, Leighton Rogers, City Clerk of the City of Binghamton, in the County of Broome, New York (the "City"), HEREBY CERTIFY as follows:

That an ordinance of the City Council of said City entitled:

“BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED FEBRUARY 6, 2019, AMENDED MAY 19, 2021 AND FURTHER AMENDED MARCH 9, 2022, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,370,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,370,000 TO FINANCE SAID APPROPRIATION,”

was adopted on March 9, 2022 and was approved in writing by the Mayor of the City on _____, 2022 and by the Board of Estimate and Apportionment of the City on _____, 2022. Such ordinance contained an estoppel clause as permitted by Section 80.00 of the Local Finance Law and a notice setting forth substantially the statements referred to in Section 81.00 of the Local Finance Law, together with a summary of such ordinance, was duly published as referred to in said Section 81.00 of the Local Finance Law.

That to the best of my knowledge, no action, suit or proceeding contesting the validity of the obligations authorized by such ordinance was commenced within twenty days from the date of publication of such notice.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this ____ day of _____, 2022.

Leighton Rogers, City Clerk
City of Binghamton



Legislative Branch

RL Number:
22-60
Date Submitted:
2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: CHUCK SHAGER

Title/Department: COMPTROLLER/FINANCE

Contact Information: 607-772-7011

RL Information

Proposed Title: Resolution to modify RL21-109 to modify the IMA water agreement with the Town of Vestal by including section 6 and all previous sections on previous RL are not changed.

Suggested Content: see attached agreement with list of modifications

Additional Information

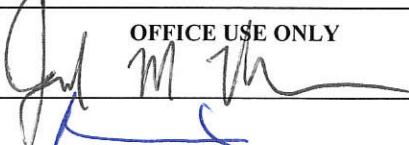
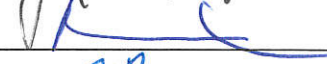

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): RL21-109

OFFICE USE ONLY					
Mayor:					
Comptroller:					
Corporation Counsel:					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input checked="" type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Legislative Branch

RL Number:
21-285
 Date Submitted:
12/6/21

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Chuck Shager/Ken Frank

Title/Department: Comptroller

Contact Information: 772-7001

RL Information

Proposed Title: Resolution authorizing the Mayor to modify the IMA water agreement with Town of Vestal

Suggested Content: see attached list with modifications-this list is not final at this time but this needs to be approved by year end and I know council does not want expedited legislation.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input checked="" type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

AMENDMENT FOR WATER CHARGES AND USE

This Amendment for Water Charges and Use dated as of this ____, day of December, 2021, by and between the Town of Vestal, New York, 605 Vestal Parkway West, Vestal NY 13850 (the "Town"), and the City of Binghamton, 38 Hawley Street, Binghamton, NY 13901 (the "City").

WHEREAS, on or about December 18, 1957, the Town and City entered into an Agreement regarding the location and construction of specified water infrastructure, the supply of water and consideration therefore including tax exemption for certain sewage treatment facilities, now known as the Binghamton Johnson City Joint Sewage Treatment Facilities ("BJCJSTF") to be located in the Town and operated by the City, and subsequently amended to be operated by the City and the Village of Johnson City; and

WHEREAS, the 1957 Agreement has been amended from time to time; and

WHEREAS, the Parties wish to further amend the Agreements regarding (i) charges for water and sewer and (ii) the supply of water from the City to the Town when requested.

NOW THEREFORE, based on the mutual promises herein, the Parties agree as follows:

1. As of January 1, 2022, the Town will have the exclusive right to bill the BJCJSTF for all water charges. Any outstanding water charges billed by the City for usage prior to January 1, 2022, will be paid to the City. Water charges billed the BJCJSTF by the Town prior to January 1, 2022 will be waived.
2. The City will provide water to the Town when requested in writing, via email or other writing, by the Town. The City will charge inside City user rates for the water so provided. As part of this agreement the Town may use up to 100,000 cubic feet (748,000 gallons) a month free of charge until December 31, 2026
3. The City will waive any prior charges for water provided to the Town, and in particular, waives a water bill dated April 1, 2020, and all related late fees and interest, in the amount of \$ 5,000.60.
4. Except as set forth herein, the 1957 Agreement, as previously amended, remains in full force and effect.
5. Notwithstanding the foregoing, this Agreement is contingent upon the agreement of the BJCJSTF to the provisions of item (1) above and will be bound thereby.

4- WORKING ON WATER ONLY SECTION

IN WITNESS WHEREOF, the parties have executed this Amendment for Water Charges and Use as of the date set forth above.

Town of Vestal

City of Binghamton

By: _____
John Schaffer, Supervisor

By: _____
Richard C. David, Mayor



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: December 22, 2021

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

Introduced by Committee: MPA

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO MODIFY THE IMA WATER AGREEMENT
WITH THE TOWN OF VESTAL

WHEREAS, the Mayor of the City of Binghamton wishes to modify an agreement with the Town of Vestal; and

WHEREAS, on or about December 18, 1957, the Town and City entered into an agreement regarding the location and construction of specified water infrastructure, the supply of water and consideration therefore including tax exemption for certain sewage treatment facilities, now known as the Binghamton Johnson City Joint Sewage Treatment Facilities ("BJCJSTF") to be located in the Town and operated by the City, and subsequently amended to be operated by the City and the Village of Johnson City; and

WHEREAS, the parties wish to further amend the agreements regarding (i) charges for water and sewer and (ii) the supply of water from the City to the Town when requested.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to modify an agreement, approved as to form and content by the Office of Corporation Counsel, with the Town of Vestal regarding the BJCJSTF.

AMENDMENT FOR WATER CHARGES AND USE

This Amendment for Water Charges and Use dated as of this 9th, day of February, 2022, by and between the Town of Vestal, New York, 605 Vestal Parkway West, Vestal NY 13850 (the “Town”), and the City of Binghamton, 38 Hawley Street, Binghamton, NY 13901 (the “City”).

WHEREAS, on or about December 18, 1957, the Town and City entered into an Agreement regarding the location and construction of specified water infrastructure, the supply of water and consideration therefore including tax exemption for certain sewage treatment facilities, now known as the Binghamton Johnson City Joint Sewage Treatment Facilities (“BJCJSTF”) to be located in the Town and operated by the City, and subsequently amended to be operated by the City and the Village of Johnson City; and

WHEREAS, the 1957 Agreement has been amended from time to time; and

WHEREAS, the Parties wish to further amend the Agreements regarding (i) charges for water and (ii) the supply of water from the City to the Town when requested.

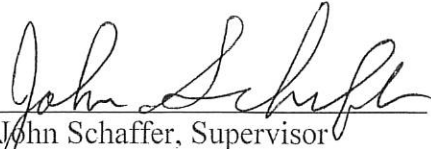
NOW THEREFORE, based on the mutual promises herein, the Parties agree as follows:

1. As of January 1, 2022, the Town will have the exclusive right to bill the BJCJSTF for all water charges. Any outstanding water charges billed by the City for usage prior to January 1, 2022, will be paid to the City. Water and sewer charges billed the BJCJSTF by the Town prior to January 1, 2022 will be waived.
2. The City will provide water to the Town when requested in writing, via email or other writing, by the Town. The City will charge inside City user rates for the water so provided. As part of this agreement the Town may use up to 100,000 cubic feet (748,000 gallons) a month free of charge until December 31, 2026.
3. The City will waive any prior charges for water provided to the Town, and in particular, waives a water bill dated April 1, 2020, and all related late fees and interest, in the amount of \$ 5,000.60.
4. Except as set forth herein, the 1957 Agreement, as previously amended, remains in full force and effect.
5. Notwithstanding the foregoing, this Agreement is contingent upon the agreement of the BJCJSTF to the provisions of item (1) above and will be bound thereby.
6. Neither party will bill the BJCJSTF for sewer usage. If (i) the BJCJSTF extends its facilities beyond its current location at 4480 Vestal Rd, Vestal, NY 13850 and (ii) such new location requires sewage to pass through Town or City sewer lines, then the Town or City, as may be applicable, may bill the BJCJSTF for sewer usage related to the extension.

IN WITNESS WHEREOF, the parties have executed this Amendment for Water Charges and Use as of the date set forth above.

Town of Vestal

City of Binghamton

By: 
John Schaffer, Supervisor

By: _____
Jared M. Kraham, Mayor

Binghamton Johnson City Joint Sewage Treatment Facilities

By: _____



Legislative Branch

RL Number:
22-58
Date Submitted:
2/16/22

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Leighton Rogers

Title/Department: City Clerk's Office

Contact Information: 607-772-7005

RL Information

Proposed Title: A Resolution authorizing the Rumble Ponies to conduct fireworks displays in 2022

Suggested Content: TBD by Corp. Counsel / Clerk's Office

Additional Information

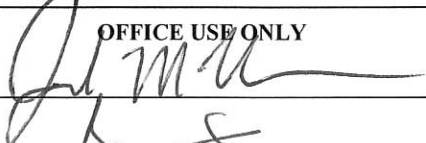


Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:					
Comptroller:					
Corporation Counsel:					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input checked="" type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



PROUD DOUBLE-A AFFILIATE OF THE NEW YORK METS



February 8, 2022

Leighton Rogers
Binghamton City Clerk
City Hall, Government Plaza
Hawley St.
Binghamton, NY 13901

Dear Lee:

Please let this letter serve as a formal request for fireworks dates for the 2022 season. We would like to be able to release the dates as early as possible to help our sales efforts so if this topic can be included in a meeting in the very near future, it would be greatly appreciated. We would like the flexibility to inform the city if we are not going to shoot fireworks due to capacity limitations or covid restrictions.

The requested dates are attached.

The Rumble Ponies respect and adhere to the ordinance deadlines for starting a fireworks show (9:45 PM on weeknights and 10:45 PM on Fridays, Saturdays, and holidays).

If you have any questions or need anything from me, please do not hesitate to contact me. Thank you for your time and efforts.

Best Regards,

A handwritten signature in black ink, appearing to read "John Bayne".

John Bayne
Managing Director
Binghamton Rumble Ponies
Phone: (607) 722-FUNN (3866)
jb@bingrp.com



211 HENRY STREET, BINGHAMTON, NY 13901

607.722.3866 | WWW.BINGRP.COM



PROUD DOUBLE-A AFFILIATE OF THE NEW YORK METS



2022 Binghamton Rumble Ponies Fireworks Dates

Date	Game Time
APR 12th Tues	(6:35PM)
May 20th Fri	(6:35PM)
June 3th Fri	(7:05PM)
June 10th Fri	(7:05PM)
June 24th Fri	(7:05PM)
July 4th Mon	(6:35PM)
July 8th Fri	(7:05PM)
July 22nd Fri	(7:05PM)
July 29th Fri	(7:05PM)
July 30th Sat	(6:35PM)
Aug 12th Fri	(7:05PM)
Sept 2nd Fri	(7:05PM)
Sept 4th Sun	(6:35PM)
Sept 16th Fri	(7:05PM)



211 HENRY STREET, BINGHAMTON, NY 13901

607.722.3866 | WWW.BINGRP.COM