



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 Monday, March 21, 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	*RL22-89: Amend the Water and Sewer Capital budget for a damaged fence at the filtration plant	1	Jeff Kruger
6:05pm	Finance	Scaringi	RL22-90: Amend the 2022 IT budget to use ARPA funds for IT upgrades	2-3	Lori Clift
6:10pm	Finance	Scaringi	RL22-88: Enter into Supplemental Agreement with Barton & Loguidice for the DECO District	4-20	Ron Lake
6:15pm	Finance	Scaringi	*RL22-80: Amend the BJCSB budget for BAF legal expenses *RL22-94: Add 2022 budget accounts for rehabilitation work at the wastewater treatment plant	21-25	Charlie Pearsall
6:25pm	Planning	Scanlon	RL22-81: Amend the FY46 agreement with Greater Opportunities for Broome & Chenango RL22-84: Enter into an agreement with BLDC for use of FY47 funds RL22-85: Enter into an agreement with Binghamton Housing Authority for use of FY47 funds	26-31	Steve Carson
6:35pm	Planning	Scanlon	RL22-91: Extending the lease of City property for the Discovery Center	32	Megan Heiman
6:40pm	Finance	Scaringi	RL22-77: Modifying the City's Chart of Accounts by adding Custodial Trust Fund RL22-78: Amend the City Charter to add Tioga State Bank as a company authorized to accept deposits RL22-82: Establish a revenue in the Ramps Fund RL22-83: Establish a debt reserve in the Ramps Fund RL22-86: Close bond lines no longer active RL22-87: Move ARPA funds for Lost revenue RL22-92: Increase Assessor's salary RL22-93: Amend the insurance fund to use for 4 damaged vehicles	33-44	Chuck Shager
6:50pm	-----	-----	Pending Legislation:	---	Leighton Rogers



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			<p><i>*Found on the website calendar with the prior Work Session documents.</i></p> <p>RL22-63: Authorizing the sale of 43 Schubert Street</p> <p>RL22-64: Amend the 2022 Insurance Fund for damage of the State Street Garage entry lane equipment</p> <p>RL22-67: Extend Perm O20-49, waiving Chapter 327 rights of way for outdoor cafes</p> <p>RL22-69: Transfer funds for a responsibility adjustment in the Personnel department</p> <p>RL22-70: Amend the 2022 Mayor budget to allocate ARPA funds for a community food pantry</p> <p>RL22-71: Authorizing the Mayor to enter into an agreement with Outreach Ministries</p> <p>RL22-72: Local Law to amend the code to reduce permissible grass and weed height from 10 inches to 8 inches</p> <p>RL22-73: Amend the 2022 Parks budget to allocate ARPA funds for 2 new laborer positions</p> <p>RL22-74: Amend the 2022 Code budget to allocate ARPA funds for a new code inspector</p> <p>RL22-75: Amend the 2022 Law budget to allocate ARPA funds to create a new prosecutor position for code</p> <p>RL22-76: Amend the Admin Assist. position in DPW from 8hr to 7hr</p>		
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COMMITTEE REPORTS

**Please Expedite for Next Business Meeting*



EXPEDITE

Legislative Branch

RL Number:

22-89

Date Submitted:

3/15/22

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: JEFF KRUGER

Title/Department: WATER / SEWER

Contact Information: _____

RL Information

Proposed Title: A RESOLUTION TO MODIFY WATER AND SEWER CAPITAL BUDGET

FOR 2022

Suggested Content: A VENDOR DAMAGED THE FENCE SURROUNDING THE WATER

FILTRATION PLANT, IT CREATED A SECURITY EMERGENCY REQUESTING IT TO BE EXPEDITED

INCREASE H.42680 INSUR RECOVERY 30,000, INCREASE H8340.590024 BUILDING IMPR 20,000

INCREASE H8340.590018 BUILDING IMPROVEMENTS 10,000

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"/>



Legislative Branch

RL Number:
22-90
 Date Submitted:
3/16/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Lori Clift
Title/Department: IT Manager, Information Management & Technology
Contact Information: lclift@cityofbinghamton.com

RL Information

Proposed Title: An ordinance to amend the 2022 IT budget to allocate American Rescue Plan Act funds to fund IT upgrades and improvements needed due to the pandemic

Suggested Content: Use ARPA funds for IT upgrades and improvements that are necessary to address administrative needs caused and/or exacerbated by the pandemic in amount not to exceed \$670,000 over a three year period. (see accounting entry attached.)

Additional Information


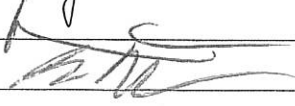

Does this RL concern grant funding? Yes No

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></u>				
Comptroller:	<u></u>				
Corporation Counsel:	<u></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"/>

Accounting Entry:

Increase	A9950.59000.F0015	Interfund Transfer - Federal Stimulus Funds	<i>Exp</i>	\$ 670,000.00
Increase	A.44089.F0015	Federal Aid - Federal Stimulus Funds	<i>Rev</i>	\$ 670,000.00
Increase	H.45031.F0015	Interfund Transfers - Federal Stimulus Funds	<i>Rev</i>	\$ 670,000.00
Increase	H1680.590004.F0015	Computer Hardware/Software - Federal Stimulus Funds	<i>Exp</i>	\$ 670,000.00



Legislative Branch

RL Number:
22-88
Date Submitted:
3/16/22

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 P.E.

Title/Department: City Engineer/Engineering

Contact Information: rblake@cityofbinghamton.com 607-772-7007

RL Information

Proposed Title: A Resolution Authorizing the Mayor to enter into Supplemental No. 3 with Barton & Loguidice, D.P.C. for GIGP Grant Administration and Construction Phase Services for the DECO District Streetscape Improvements Phase 1.

Suggested Content: A Resolution Authorizing the Mayor to enter into Supplemental No. 3 with Barton & Loguidice, D.P.C. for GIGP Grant Administration and Construction Phase Services for the DECO District Streetscape Improvements Phase 1. Supplemental No. 3 is for \$319,00.00 and is available in budget line 45110.55005.M0015

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): R20-38

OFFICE USE ONLY	
Mayor:	_____
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"/>

SUPPLEMENTAL NO. 2 - SCOPE OF SERVICES

Barton & Loguidice, D.P.C.

City of Binghamton

DECO District Streetscape Improvements

GIGP Grant Administration and Construction Phase Services for

Phase 1 – State Street Segment (Sta. S 8+50 to S 24+50)

I. GENERAL

A. Project Name & Location

1. NAME: DECO District Streetscape Improvements
2. LOCATION: City of Binghamton – Portions of State St., Washington St., Henry St., and Lewis St.; Phase 1 – State Street

B. Project Team

1. CONSULTANT: **Barton & Loguidice, D.P.C. (B&L)**
2. OFFICER-IN-CHARGE: Ken Knutsen, P.E., Sr. Vice President
3. PROJECT MANAGER: Jeffery Nadge, R.L.A., Sr. Project LA
4. ENGINEER'S SUB-CONSULTANTS:
 - a. **Whitham Planning & Design**
 - Landscape Architecture
 - Public Engagement
 - Public Art Initiatives & District Identity Strategy
 - b. **Geotechnical Investigations (MWBE)**
 - Subsurface Investigations (ATL sub-agreement executed)

C. Project Understanding

The City of Binghamton is currently contracted with the team of Barton & Loguidice, D.P.C. (B&L) and Whitham Planning & Design (WPD) to provide preliminary and final design for streetscape improvements in the City's Downtown Arts & Cultural Organizations (DECO) District. The streetscape improvements include pedestrian sidewalk and crosswalk improvements, traffic calming and curb extensions, intersection improvements, landscape and street trees, district furnishings, accent lighting, gateway elements, wayfinding signage and public art opportunities.

The design team submitted 60% Complete Design Plans in April 2021, and associated Estimate of Probable Construction Costs, outlining probable opinion of construction costs including a street-by-street segment breakdown to assist in aligning available funding and the City's budget with identified priority improvements for implementation.

Based on the City's review and priorities for implementation discussed at a meeting with the design team on 05/20/21, and subsequent municipal discussions regarding potential financing of the project, the State Street segment (Sta. S 8+50 to S 24+50), with a probable opinion of construction costs estimated between \$3.3 and \$3.5 million, including utility and drainage improvements designed by City Engineering and coordinated with the overall project, was selected to be bid.

The State Street segment (Sta. S 8+50 to S 24+50) of the project was advertised for Bids in October 2021, with bids opened on November 5, 2021. The Bid resulted in one bidder, Vacri Construction of Binghamton NY (Vacri) with a Bid Amount of \$4,319,000. The City has awarded the Contract in the full bid amount to Vacri. Due to budgetary restrictions, B&L has assisted the City with modifications to the design contract documents to eliminate, reduce, or modify materials and approaches to reduce the overall scope and cost of the project. This Amendment No. 2 includes additional services to prepare an initial change order with supporting contract documents to remove the segment of State Street Improvements between Sta. S21+50 to Sta. S24+50. Change Order No. 1 will also include removal of the Engineer's Field Office (Item 637.12) and propose the use of the B&L Binghamton office, located within the project area.

This Supplemental Scope of Services is based on the preliminary and final design of the DECO District, reviews and coordination related to all phases and submissions of the Project Plans and Estimates, and overall project coordination and reviews with the City of Binghamton Engineering

Department. We anticipate an eleven (11) month overall duration for the construction phase of the Phase 1 - State Street Streetscape Enhancements, as modified under Change Order No. 1 with ten (10) months of full-time construction observation services.

This Amendment No. 2 Scope of Services includes additional services related to:

- Project Management
- Final Design, Bidding and Administration services for the NYSEFC GIGP funded improvements (i.e., green infrastructure)
- Owner requested Post-Bid design modifications
- Construction Administration Services
- Construction Observation Services

Anticipated Schedule – Milestones & Completion Dates

Topographic / Site Survey	May 2020	<i>Completed June 2020</i>
Field Investigations	June 2020	<i>Completed July 2020</i>
30% Preliminary Design.....	June 2020	<i>Completed Nov 2020</i>
SEQRA/SHPO/CAUD	Sep 2021	<i>SEQR /CoA complete</i>
GIGP Application	Feb 2021	<i>Submitted</i>
Subsurface Investigations.....	Mar 2022	<i>(Pending)</i>
60 % Preliminary Design.....	Mar 2021	<i>Submitted Apr 2021</i>
90% Final Design		<i>Submitted August 2021</i>
Bid Documents (CD's).....	Sep 30 2021	<i>Bid Oct 2021</i>
Construction Award	Oct 25 2021	<i>Awarded Jan 5 2022</i>
Notice to Proceed.....	Mar 2022	
Mobilization/Construction Start	April 2022	
Substantial Completion	Dec. 2022	

II. SCOPE OF SERVICES – SUPPLEMENTAL NO. 2

Based on the above understanding, available funding, and priorities for initial implementation identified by the City, B&L proposes to provide the following Supplemental Scope of Services to the City of Binghamton:

TASK 1 – PROJECT MANAGEMENT

No supplemental services requested.

TASK 2 – DATA REVIEW, COORDINATION & VAULT INSPECTIONS

No supplemental services requested.

TASK 3 – PUBLIC ENGAGEMENT

No supplemental services requested.

TASK 4 – PRELIMINARY (60%) DESIGN

No supplemental services requested.

TASK 5 – FINAL (90%/100%) DESIGN & BIDDING

Sightline Compliance Memorandum

As part of the project review and approvals from the Traffic Board and CAUD, it was requested that a sightline compliance review be performed for the proposed Gateway Signage at the intersections. Based on internal review of the detail, siting and arrangement of the sign, the design team was comfortable with the current locations as proposed but have included time allotted to provide the study to confirm compliance prior to the bidding date of the project. *This task was previously completed outside of the current contract, and time and expense was tracked and is included under this supplemental.* This task included a site visit, photographs, field measurements and a project memorandum to outline our findings and conclusions. This task incurred approximately twelve (12) staff hours and the final Gateway Sign Compliance Memorandum, dated 09-24-21 was completed and submitted to Ron Lake, P.E.

GIGP Design Tasks

Based on the NYSEFC “Feasibility Study” and accompanying CFA Application (No. 1870) for proposed Green Infrastructure (GI) measures, submitted in February 2021 under Supplemental No. 1, the City was successful in obtaining an additional \$330,000 in grant funding for implementation of specific GI measures within the DECO District. This program will pay for 90% of eligible GI features.

B&L recommends all grant funding be applied to the construction costs and will assist the City in coordinating required documents and information to NYSEFC as needed to ensure the grant agreement, plans and specifications, and disbursement of grant fund documentation meets NYSEFC requirements. The following tasks are included as part of this amendment to ensure that the project is in compliance with NYSEFC:

- Project submittals and coordination required by NYSEFC, including sizing and material requirements, detail adjustments, and infiltration and storage capacities; *(task completed, services included under this supplemental)*
- Updated feasibility study based on comments provided by NYS EFC and finalize an “Engineering Report” to be submitted; *(task completed, services included under this supplemental)*
- Design coordination and comment responses to NYSEFC; *(task completed, services included under this supplemental)*
- Assist City in required compliance documents to include financing plan, audit requirements, MWBE Utilization Plan and quarterly reporting, and engineer’s Certificate of Technical Requirements; *(task completed, services included under this supplemental)*

Additional Final Design & Bidding Services

B&L provided revisions to design contract documents following preparation of the engineer’s estimate of probable project cost in an effort to structure a project that would fall within the City’s available funding. B&L attended additional coordination meetings with the City during this effort. Following receipt of bids, B&L completed an extensive review of bids, allocation of bid costs to various funding sources, and developed alternative value engineering opportunities for reducing the scope of work and construction costs.

Task 5 Deliverables:

- a. Sight Line Review and Compliance Memorandum (submitted 09-24-21)
- b. Site Photographs and Diagrams (completed)
- c. Updated GIGP Feasibility Study (completed and approved by NYSEFC, dated Sept 2021)

TASK 6 – CONSTRUCTION ADMINISTRATION

6.1 Project Management & Administration

Provide monthly project updates on invoices, and weekly coordination with the City as requested by the City's project manager to ensure the project team is meeting the schedule, objectives, and requirements of the City and approved Scope of Service.

Schedule coordination and project team management by communications with all sub-consultants and staff, maintaining files, preparing correspondence, preparing and submission of deliverables, and provide guidance to the project team. This task includes review and coordination of sub-consultant deliverables.

Prepare and update a schedule of tasks, milestones and contract deliverables. For the purposes of this Scope of Service for Construction Phase services and fee, the duration of the overall project is anticipated to be eleven (11) months from the Contractor's Notice to Proceed.

Project Coordination Meetings

Attend project meetings as outlined below. Meetings will be scheduled by B&L or requested by the City. Meetings are assumed to be one (1) hour maximum in duration, and held by zoom, at City Hall or B&L's office location in the City of Binghamton.

- Monthly Meetings with City (assume 12 meetings)
- State Agency(s) Coordination Meetings (assume 2 meetings)

6.2 Construction Administration

Based on an assumed construction phase duration of eleven (11) months to project completion, B&L and WPD will provide the following Construction Administration services:

- Preparation of Construction Management Plan outlining Roles & Responsibilities, Chain of Command and Contract Project Requirements and Procedures;
- Conduct one (1) pre-construction conference with the General Contractor, prepare attendance list, agenda, meeting summary, and contact information;
- Review all shop drawings, submittals, samples, and RFI's to ensure design intentions, materials, requirements, and equipment are in conformance with the Contract Documents; preparation of shop drawing log;

- Attend *up to* twenty-two (22) construction progress or bi-weekly meetings with City, Contractor, and various project representatives, including NYS DOS or NYS EFC representatives. Meetings will be held to discuss progress, work site issues, coordination items, schedule, and any related construction issues that need to be resolved. Meeting notes and attendance will be recorded and distributed electronically;
- Review Contractor payment applications and recommendation for payment. Assume review/processing of up to twelve (12) payment applications;
- Provide interpretation, clarifications, resolutions, or prepare Change Orders as necessary arising out of changes, conflicts, RFI's, or omissions. This does not include *Owner Requested Change Orders* that require changes or additions to the approved design documents for additional work;
- Conduct one (1) on-site walkthrough, and review and prepare a project punch list for incomplete or unsatisfactory work to be addressed and completed by the Contractor;
- Issue a Notice of Substantial Completion;
- Coordinate with the construction inspector to prepare as-built record plans to be submitted to the City in digital format; and;
- Prepare Change Order No. 1: The design team has revised the proposed design plans, prepared the change order, developed the estimated cost of the change order based on the bid prices, and updated the estimate of quantities and applicable items in the contract. Change Order No. 1 has resulted in revisions to a total of thirty-four (34) contract drawing sheets. The following list identifies the extent of revisions for each sheet. Revised sheets will be provided to the City and Contractor.

SHEET NO.	DWG. NO.	DRAWING TITLE	REVISIONS MADE
8	TS-4	TYPICAL SECTIONS	<i>Remove section, update/add FC notes</i>
14	GL-2	GEOMETRY LAYOUT	<i>Remove from contract; update for FC</i>
16	WZTC-2	WORK ZONE TRAFFIC CONTROL NOTES	<i>Update/add FC notes</i>
19	WZTC-5	WORK ZONE TRAFFIC CONTROL SECTIONS	<i>Remove from contract; update for FC</i>
22	WZTC-8	WORK ZONE TRAFFIC CONTROL PHASE 1 DETOUR PLAN	<i>Update/add FC notes</i>
25	WZTC-11	WORK ZONE TRAFFIC CONTROL PHASE 2 DETOUR PLAN	<i>Update/add FC notes</i>
32	EX-6	EXISTING CONDITIONS AND DEMOLITION PLAN - Sta. S 20+00 to Sta. S 22+50	<i>Update/add FC notes</i>
33	EX-7	EXISTING CONDITIONS AND DEMOLITION PLAN - Sta. S 22+50 to Sta. S 24+55	<i>Remove from contract; update for FC</i>
39	PL-6	GENERAL PLAN - Sta. S 20+00 to Sta. S 22+50	<i>Plan revisions, coordinate new terminus/curb lines, update/add FC notes</i>
40	PL-7	GENERAL PLAN - Sta. S 22+50 to Sta. S 24+55	<i>Remove from contract; update for FC</i>
46	UP-6	UTILITY AND DRAINAGE PLAN - Sta. S 20+00 to Sta. S 22+50	<i>Update/add FC notes</i>
47	UP-7	UTILITY AND DRAINAGE PLAN - Sta. S 22+50 to Sta. S 24+55	<i>Remove from contract; update for FC</i>
49	PRO-2	ROADWAY PROFILES	<i>Update/add FC notes</i>
50	PRO-3	CURBLINE PROFILES - STATE STREET	<i>Adjust curb profiles, update/add FC notes</i>
53	GP-2	INTERSECTION GRADING PLAN	<i>Update/add FC notes</i>
54	MT-1	MISCELLANEOUS TABLES	<i>Table modifications, update/add FC notes</i>
55	MT-2	MISCELLANEOUS TABLES	<i>Table modifications, update/add FC notes</i>
56	MD-1	MISCELLANEOUS DETAILS	<i>Update/add FC notes</i>
66	DT-2	DRAINAGE TABLE	<i>Table modifications, update/add FC notes</i>
67	GID-1	GREEN INFRASTRUCTURE DETAILS	<i>Table modifications, update/add FC notes</i>
68	GID-2	GREEN INFRASTRUCTURE DETAILS	<i>Update/add FC notes</i>
69	GID-3	GREEN INFRASTRUCTURE PROFILES	<i>Remove from contract; update for FC</i>
70	GID-4	GREEN INFRASTRUCTURE TABLES	<i>Remove from contract; update for FC</i>

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SHEET NO.	DWG. NO.	DRAWING TITLE	REVISIONS MADE
77	PM-6	PAVEMENT MARKING AND SIGNAGE PLAN - Sta. S 20+00 to Sta. S 22+50	<i>Update/add FC notes</i>
78	PM-7	PAVEMENT MARKING AND SIGNAGE PLAN - Sta. S 22+50 to Sta. S 24+55	<i>Remove from contract; update for FC</i>
99	LSP-6.1	STREETSCAPE PLAN 6 - MATERIALS PLAN	<i>Update/add FC notes</i>
100	LSP-6.2	STREETSCAPE PLAN 6 - PLANTING PLAN	<i>Plan revisions, coordinate new terminus/curb lines, update/add FC notes</i>
101	LSP-7.1	STREETSCAPE PLAN 7 - MATERIALS PLAN	<i>Remove from contract; update for FC</i>
102	LSP-7.2	STREETSCAPE PLAN 7 - PLANTING PLAN	<i>Remove from contract; update for FC</i>
103	SD-1.1	STREETSCAPE DETAILS	<i>Update/add FC notes</i>
106	EQ-1	ESTIMATE OF QUANTITIES	<i>EoQ modifications, update/add FC notes</i>
107	EQ-2	ESTIMATE OF QUANTITIES	<i>EoQ modifications, update/add FC notes</i>

This task has been completed and was approved by the Board and Supply Contracts on March 9 2022. The actual hours accrued to coordinate re-designs and revisions, estimate, preparation, submittal and finalization of Change Order #1 (46) are included in this amendment.

NYSEFC GIGP Grant Funding Requirements

The following services related to the NYSEFC GIGP funding requirements will be completed under the Construction Administration phase:

- Specific progress inspections and submissions at 30%, 60%, 90% and 100% project construction completion levels;
- Design and specifications related to up to two (2) required Interpretive Signs conforming to NYS EFC Signage Guidelines; CAUD has requested that B&L inquire with EFC about including historical significance information of former Chenango Canal on panels ; B&L and WPD to develop graphic signage to include information related to Green Infrastructure and Historical Significance of former Chenango Canal
- GIGP Certification of Project Completion.

6.3 Subcontracted Services – Infiltration Testing

B&L has entered into a Subcontractor Agreement with Atlantic Testing Laboratories (ATL) (WBE) to provide infiltration testing at four (4) locations slated for green infrastructure features within the Phase 1 State Street project area of the DECO District; infiltration testing will be completed in conformance with NYSEFC GIGP requirements. The Subcontractor Agreement with ATL, with an estimated cost of \$8,700, was executed on September 30, 2021 and will be invoiced under Amendment #1. This Amendment includes all B&L labor associated with administration, site recon, coordination regarding permits and insurance, testing oversight, and review of results for the infiltration testing performed by ATL. Subcontracted services to be completed by ATL in 2022 will be invoiced at cost + 10% in accordance with Amendment #1

Task 6 Deliverables:

- a. Pre-Construction Meeting – attendance and meeting notes
- b. Shop drawing log with all approved submittals; estimate up to forty-five (45) submittals
- c. Subsurface Infiltration Investigations and Report (Infiltration Test Results)
- d. Review/endorsement of up to twelve (12) contractor pay applications, and review and approvals of AIA forms
- e. Meeting Minutes/Notes for all progress meetings between City and/ or agencies
- f. NYSEFC GIGP Specific deliverables
 - Construction Progress documentation (4 submissions)
 - Interpretive Signage – details, specifications, and digital artwork (Item included in Contract Documents; artwork provided post bid)
 - GIGP Certification of Project Completion
 - Project close-out assistance to the City and/or its grant agency
- g. Change Orders, RFI's – assume up to twelve (12) additional CO's and RFI's
- h. Project Punch List
- i. Notice of Substantial Completion
- j. Phase 1 - State Street Streetscape Improvements as-built record plans
- k. Change Order No. 1 – preparation and submittal for CO approval to remove all elements of the proposed work from approximately Sta. S21+75 to Sta. S24+50, and remove the amount for the Field Office (Item 637.12).
APPROVED 03-09-22

TASK 7 – CONSTRUCTION SUPPORT & OBSERVATION

7.1 Construction Support/Observation (B&L)

To assist the Construction Inspector and Contractor(s) in meeting the project design intent, conformance and standards of improvements and facilities, corrective actions required, monitoring of manufacturing, layout and installation of streetscape elements, planting and lighting features, and overall conformance to the Contract Documents, Construction Support & Observation duties will generally include the following:

- Observe work to determine substantial conformance with contract documents. Any work found to be unacceptable or defective will be rejected or will require corrective action be taken;
- Maintain a project record of updates, resolutions and coordination items;
- Review documents and submissions by contractors pertaining to scheduling, and keep the City informed of their acceptability;
- Conduct periodic site visits as needed to ensure design intentions are in conformance with the Contract Documents (assume total of 20 site visits; 5.5 hours average per visit);
- Coordination of custom fabricated streetscape features, elements, signage and colors, including visits to fabricators as necessary

7.2 Construction Support/Observation (Subconsultant - Whitham Planning & Design)

B&L will continue to utilize the subcontracted services of Whitham Planning & Design (WPD) to provide Construction Support services for work and materials for which WPD provided final design phase services (i.e., landscaping and streetscape amenities).

Task 7 Deliverables:

- a. Memorandum(s) of record (site visits, observations)
- b. Clarifications and interpretations as needed for conformance to Contract Documents

TASK 8 – CONSTRUCTION MANAGEMENT & OBSERVATION

Due to the complexities of the project, business owner coordination, impacts to traffic, utility coordination needs and oversight, and urban nature of work involved in the proposed improvements, B&L recommends two (2) inspectors be on-site during all construction operations. It is our understanding the City will provide inspection and oversight assistance to B&L throughout the duration of the project.

Due to the amount of Project Items (131 Bid Items) we have included the use of two (2) Appia license (\$2,000 EA.). One license will be for B&L and one applied for City use. Appia software will be used to efficiently and effectively streamline construction contract management, maintain accurate up to date project records, capture data at the source, generate instant pay estimates, manage change orders and field changes, tracking of materials, and manage the complex funding sources for reimbursements.

The scope of services for inspection will be performed by Ray Standish, P.E. of our Binghamton office (assumed 10 month duration, 880 hours, avg. 20 hrs./week), experienced with a wide range of activities related to highway, streetscape, and utility and related structural construction projects. The Construction Inspection will provide direct involvement, daily oversight, and daily record keeping of all construction activities performed on a daily basis and, will generally include the following:

- Inspection of all construction operations of the Contractor(s) for conformance with the Contract Plans and Specifications
- Provide measurements and calculations of materials installed
- Securing project documentation from Contractor
- Maintain daily records including daily work reports and a project diary
- Preparation of bid item progress payments
- Preparation of routine correspondence to the Contractor, City staff, design team, utility companies and local agencies as needed
- Ensure materials testing requirements are met
- Conduct stormwater inspections in accordance with the SWPPP and prepare the necessary inspection reports

Task 8 Deliverables:

- a. Daily Work Reports
- b. Project Diary(s)
- c. Pay Estimates
- d. Testing Results
- e. Materials Requirements

III. SERVICES NOT INCLUDED

- A. Meetings/services beyond the number and/or hours estimated in this Supplemental Scope of Service
- B. *Owner Requested Change Orders* that add to or change the approved contract documents and scope of work for Phase 1.
- C. Materials Testing – this cost is to be included in the Contractor’s bid proposal and will be included in the Contractor’s respective bid items

IV. FEE SUMMARY

The estimated fee for each Task is summarized in the table below.

Engineer's charges for subcontracted/subconsultant services shall be invoiced at cost plus 15%, and are included in the Estimated Fee amounts shown below.

Billing rates shall be in accordance with Engineer's Standard Billing Rates in effect at the time of service. Standard Billing Rates for 2022 are included in **Appendix A**. If necessary, 2023 rates will be provided to the City in advance of January 1, 2023.

The total compensation for services and reimbursable expenses, as listed in the table below, will not be exceeded without authorization of the City.

Task No.	Task Description	Estimated Fee	Billing Basis
5*	Final Design & Bidding (B&L)	\$ 31,000	LS
6.1	Construction Administration & Expenses (B&L)	\$ 110,000	T&E
6.2	Subcontracted Service Administration & Assistance (ATL)	\$ 2,500	T&E
7.1	Construction Support / Observation (B&L)	\$ 18,000	T&E
7.2	Construction Admin. / Support / Observation (WPD)	\$ 28,000	Cost + 15%
8	Construction Management & Observation	\$ 130,200	T&E
Total Fee		\$ 319,700	-

**Task completed*

APPENDIX A

**BARTON & LOGUIDICE
BILLING RATES FOR CALENDAR YEAR 2022**

Barton & Loguidice
Billing Rates For Calendar Year 2022



Travel by passenger vehicle* IRS standard mileage rate
 Overnight travel & subsistence at cost
 Telephone, postage, overnight delivery, etc. at cost
 In-house printing Unit rate schedule for printed material
 Field equipment & expendables Unit rate schedule
 Outside services including lab services & printing Cost plus 15%

INDIVIDUAL TECHNICAL EMPLOYEES AT THE FOLLOWING HOURLY RATES:

<u>Billing Title</u>	<u>Hourly Rate</u>
Executive Manager	\$270.00
Manager V	\$232.00
Manager IV	\$210.00
Manager III	\$195.00
Manager II	\$183.00
Manager I	\$170.00
Professional VI	\$156.00
Professional V	\$140.00
Professional IV	\$126.00
Professional III	\$114.00
Professional II	\$99.00
Professional I	\$82.00
Technician VII	\$139.00
Technician VI	\$131.00
Technician V	\$115.00
Technician IV	\$107.00
Technician III	\$96.00
Technician II	\$80.00
Technician I	\$69.00
Construction III	\$131.00
Construction II	\$111.00
Construction I	\$99.00
Technical Assistant III	\$97.00
Technical Assistant II	\$82.00
Technical Assistant I	\$70.00

* IRS standard mileage rate in effect at time of travel (exclusive of operator time).



Expedite

Legislative Branch

RL Number:
22-80
Date Submitted:
3/14/22

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: 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 <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"/>

Litigation Budget Form

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

EXPENSE ANALYSIS SUMMARY					
Timekeeper Name	JJB	NRS	SDR		
Hourly Rate	\$	\$	\$		
Total Project Fees	Hours	Hours	Hours	Totals	
Case Assessment, Development and Administration	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	Hours
	0.0	\$ -	0.0	\$ -	0.0
Subtotal					TOTAL
					\$ -

Pre-Trial Pleadings and Motions					
Task	JJB		NRS		SDR
	Hours	Amount	Hours	Amount	Hours
L230 Court-mandated conferences	10.0	\$ 6,000.00	10.0	\$ 4,500.00	0.0
L240 Dispositive Motions	40.0	\$ 24,000.00	80.0	\$ 36,000.00	80.0
L160 Settlement/Non-binding ADR	15.0	\$ 9,000.00	20.0	\$ 9,000.00	5.0
Subtotal	65.0	\$ 39,000.00	110.0	\$ 49,500.00	85.0
					TOTAL
					\$ 122,500.00

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

corrected January 2022

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



Expedite

Legislative Branch

RL Number:
22-94
Date Submitted:
3/7/22

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: Charles Pearsall

Title/Department: Business Manager - BJCWWTP

Contact Information: cpearsall@bjcwwtp.onmicrosoft.com, 607-729-2975 x 13

RL Information

Proposed Title: Add 2022 Budget Accounts for CN Event corrective expenses and insurance recoveries

Suggested Content: The Joint Sewage Board asks the Council to add a revenue line and several expense lines (see attached detail) to allow the Insurance Revenues and rehabilitation work to be performed at the wastewater treatment plant. Please expedite.

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"/>

Proposed Revenue and Expense accounts for 2022 Budget to fund and track CN Corrective work.

\$	Ledger Account	Account Title
(2,000,000)	J.42680.CNBAF	Insurance Recoveries - CNBAF <i>Rev</i>
1,739,903	J8130.52000.CNBAF	Equipment - CNBAF
1,500	J8130.54191.CNBAF	Protective Clothing - CNBAF
225,000	J8130.54410.CNBAF	Professional Services - CNBAF
33,597	J8130.54804.CNBAF	Sludge & Waste Disposal - CNBAF
3/17/2022		



Legislative Branch

RL Number:
22-81
Date Submitted:
3/15/22

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: Amend FY46 Agreement with Greater Opportunities for Broome & Chenango

Suggested Content: Authorize the Mayor to modify the FY46 agreement with Greater Opportunities for an Exterior Refurbishing Project. The project scope will change to a Carpet Replacement Project at the Greater Opportunities Offices at 5 West State St. The funding source and amount remain the same.

Additional Information

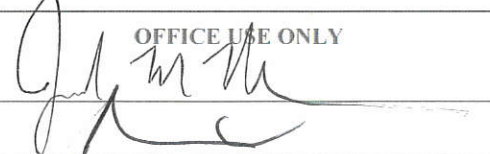


Does this RL concern grant funding? Yes No

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): R21-41

	OFFICE USE ONLY					
Mayor:						
Comptroller:						
Corporation Counsel:						
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"/>	

BAS



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

Date: June 9, 2021

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

Introduced by Committee: Planning

RESOLUTION

entitled

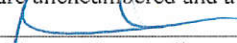
**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AGREEMENTS WITH NON-
PROFIT AGENCIES FOR USE OF FY46 CDBG
FUNDS FOR CAPITAL PROJECTS**

WHEREAS, the Manager, HUD Administration and Housing, recommends entering into agreements with non-profit agencies for the use of FY46 CDBG funds for capital improvements to their facilities.

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 certain non-profit agencies for use of FY46 CDBG funds for capital improvements and in the amounts set forth in the attachment annexed hereto in the total amount of \$65,000, and funds shall be deducted from budget line CD8662.533552.CDY46 (Human Svcs Set Aside) for this purpose.

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



Chuck Shager, Comptroller

Introductory No. R21-41

Permanent No. R21-41

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

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

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

6/9/21

Date 6/9/21
City Clerk Deborah C. McGowan

Date Presented to Mayor

6/10/21
Date Approved [Signature]
Mayor

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

Code of the City of Binghamton

Adopted Defeated

6 Ayes 0 Nays 1 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 6/9/21. Approved by the Mayor on 6/10/21. [Signature]

FY46 Capital Projects

Agency	Project	Location	Amount
Boys & Girls Club of Binghamton	Outdoor Pavilion	90 Clinton St	\$20,000
Family Planning of South Central NY	Door Replacement	117 Hawley St	\$5,000
Greater Opportunities for Broome & Chenango	Exterior Refurnishing Phase 1	5 West State St	\$20,000
House of Worship	Roof	93 Riverside Dr	\$20,000



Legislative Branch

RL Number:
22-84
Date Submitted:
3/15/22

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

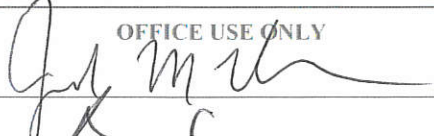


Proposed Title: FY47 Agreement with BLDC

Suggested Content: Authorize the Mayor to enter into agreement with Binghamton Local Development Corp in an amount not to exceed \$145,000. Funding shall come from CD6889.540000.CDY47 (Contractual)

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 checked="" 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:
22-85
Date Submitted:
3/15/22

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: FY47 Agreement with Binghamton Housing Authority

Suggested Content: Authorize the Mayor to enter into agreement with Binghamton Housing Authority to utilize TBRA funds to assist Section 8 and public housing clients with security deposits in an amount not to exceed \$280,796.20. Funding shall come from CE8667.533560.CEY47 (Tenant Based Rental Assistance). Contract period shall run from January 1, 2022 to August 31, 2026

Additional Information

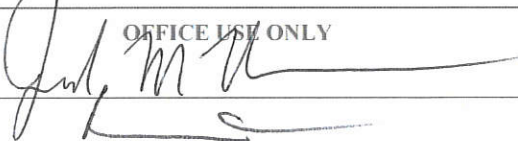


Does this RL concern grant funding? Yes No

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 checked="" 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: 22-91
Date Submitted: 3/16/22

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: Megan J. Heiman

Title/Department: Office of the Mayor

Contact Information: 607-772-7001

RL Information

Proposed Title: A Resolution authorizing the Mayor to enter into an agreement to extend the lease of City property to the Discovery Center of the Southern Tier, Inc.

Suggested Content: Lease agreement 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>BAJ</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"/>

LEASE AGREEMENT

THIS AGREEMENT between THE CITY OF BINGHAMTON, with offices at City Hall, Binghamton, New York (“City” or "Lessor"), and THE DISCOVERY CENTER OF THE SOUTHERN TIER, INC., with offices at 60 Morgan Road, Binghamton, New York (“Discovery Center” or "Lessee");

WHEREAS, the City is the owner of certain real property designated as parkland and further described as those parcels of land totaling approximately Six point Twenty-two acres (6.22 ± acres) of an original ninety (90) acres in the City of Binghamton, said 90 acres described in a certain deed dated 1875 from Erastus and Cornelia Ross to the City of Binghamton, more particularly described in said deed which is filed and recorded in the County Clerk's Office of Broome County and is incorporated herein by reference. The 6.22 acres are shown on the attached Exhibit "A" (hereinafter the “Property”); and

WHEREAS, the City and Discovery Center have declared as their mutual intention to the continuance of the Hands-on Children’s Museum better known as The Discovery Center at Ross Park (the “Museum”); and

WHEREAS, the City and the Discovery Center desire to continue the Discovery Center having responsibility for the operation of the Discovery Center; and

WHEREAS, the City as the owner of the Property wishes to lease it to the Discovery Center subject to the assumption by the Discovery Center of the responsibility of operating the Discovery Center for the benefit of the Citizens of the Greater Binghamton Community; and,

WHEREAS, Lessor, by its Mayor and the City Council, by Resolution No. _____ dated _____ 2022 has authorized this Agreement; and

WHEREAS, Lessee, by its Board of Directors, by Resolution dated _____,

2022 has authorized this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, the parties agree as follows:

1. Lease. Lessor hereby leases to Lessee and Lessee hereby accepts a lease to the Premises pursuant to the terms and conditions herein (the "Lease").

1.1. All improvements and facilities now located on said land are included in this Lease. Lessee retains the right to utilize the existing parking areas located outside the 6.22 acre area illustrated in Exhibit "A". These parking areas are currently shared by Lessee and the Southern Tier Zoological Society, Inc. also known as the Ross Park Zoo. Similarly, the Ross Park Zoo retains the right to utilize the existing parking areas located inside the 6.22 acre area illustrated in Exhibit "A" on a first-come, first serve basis.

2. Term. The term of this Lease is Twenty-five (25) years commencing on _____, 2022 and ending at midnight on _____, 2047 unless sooner extended or sooner terminated as provided for in this Lease. This Lease shall be effective immediately and shall replace the "Lease and Operating Agreement" dated January 2017.

3. Rent. Annual rental shall be defined as the maintenance and operation of the Premises, except for the maintenance described on Exhibit "B" which will be the responsibility of Lessor. Lessee will not pay cash rental therefore, but will assume the maintenance and operation of the Premises as hereinafter outlined. Lessee shall have the right to review and propose amendments to the maintenance described on Exhibit "B" every (5) five years, beginning on March _____, 2027, at which time Lessor shall have the right to accept proposed amendments to the maintenance described on Exhibit "B", or either party may terminate this Lease.

4. Operation and Maintenance. Lessee shall pay the cost of landscaping, cleaning, decorating, interior lighting, sanitary control, heating, ventilation and air conditioning, ordinary and routine repair and maintenance, fire protection, security devices, the cost of insurance, and the cost and replacement of any machinery or equipment on the Premises.

4.1. Lessee shall take good care of the Premises and shall, at Lessee's own cost and expense, maintain the entire Premises. At the end or other expiration of the term, Lessee shall deliver up the demised Premises to the Lessor in good order or condition. Lessee expects reasonable wear and tear, including, but not limited to damage by the elements.

4.2 All assets hereby transferred and all personalty and improvements constructed on the real property with private or public funds during the term of this Lease shall be under the exclusive operation and control of Lessee, but at the expiration or termination thereof, title shall revert to and become the property of Lessor, subject to the further terms of this Lease. The term "assets" does not include museum or Story Garden exhibits and components thereof.

5. Compliance with Law. Lessee shall promptly execute and comply with all statutes, ordinances, rules, orders, regulations and requirements of the Federal, State and Local Governments and of any and all of their Departments and Bureaus applicable to the Premises, for the correction, prevention, and abatement of nuisances or other grievances, in, upon or connected with the Premises during said term; and shall also promptly comply with and execute all rules, orders and regulations of the New York Board of Fire Underwriters, or any other similar body, at the Lessee's own cost and expense.

6. Damage to the Premises. Lessee must give Lessor prompt notice of fire, accident, damage or dangerous or defective conditions. If the Premises cannot be used because of fire or

other casualty, Lessee shall have the right to reasonably decide which part of the Premises is usable. Lessee is not required to repair or replace any equipment, fixtures, furnishings or decorations unless (i) originally installed by Lessor or (ii) such replacement is included in Lessee's insurance recovery. Lessor is not responsible for delays due to settling insurance claims, obtaining estimates, labor and supply problems or any other cause not fully under Lessor's control.

6.1. Lessee shall cause each insurance policy obtained by it to provide that the insurance company waives all right of recovery by way of subrogation against the Lessor in connection with any damage covered by any policy. The Lessor shall not be liable to the Lessee for any damage caused by fire or any of the risks..

7. Damage to the Premises. Lessee has the right to demolish or rebuild the Premises if there is substantial damage by fire or other casualty. Lessee may cancel this Lease within sixty (60) days after the substantial fire or casualty by giving Lessor notice of Lessee's intention to demolish or rebuild. This Lease will end thirty (30) days after Lessee's cancellation notice to Lessor. Lessee must deliver the Premises to Lessor on or before the cancellation date in the notice. If the Lease is canceled, Lessor is not required to repair the Premises. The cancellation does not release Lessee of liability in connection with the fire or casualty. This Section is intended to replace the terms of New York Real Property Law Section 227.

8. Right of Entry. Lessee agrees that Lessor and the Lessor's agents and other representatives shall have the right to enter into and upon the Premises, or any part thereof, upon reasonable notice, at all reasonable hours for the purpose of examining the same, or making such repairs or alterations therein as may be necessary for the safety and preservation thereof. In case of emergency, Lessor or their agent shall have the right to enter the Premises at any time.

9. Lessee Default. Lessee shall be considered in default hereunder upon the happening of any of the following events:

(a) Lessee shall default in the performance of any of the covenants and agreements in this Lease contained on the part of Lessee to be kept and performed.

(b) Lessee shall fail to comply with any of the statutes, ordinances, rules, orders, regulations and requirements of the federal, state and local government, or of any and all of their departments and bureaus, or of the Board of Fire Underwriters, applicable to the Premises.

(c) Proceedings in Bankruptcy shall be instituted by or against Lessee which result in any adjudication of bankruptcy, or if Lessee shall file or any creditor of Lessor shall file, or any other person or persons shall file any Petition under the Bankruptcy Laws of the United States, as the same are now in force or may hereafter be amended, and Lessee be adjudicated a bankrupt, or if a receiver of the business or assets of Lessee be appointed and such appointment not be vacated within sixty (60) days after notice thereof to Lessee, or the Lessee makes an assignment for the benefit of creditors, or any sheriff, marshal, constable or keeper takes possession thereof by virtue of any attachment of execution proceedings and offers same for sale publicly.

10. Lessee Default Remedies. If Lessee is in default as hereinafter set forth, Lessor may:

(a) At any time thereafter terminate this Lease and the term thereof upon giving to Lessee fifteen (15) days' notice in writing of the default and Lessor's intention to terminate this Lease, and upon giving such notice, unless Lessee cures said default within said period, this Lease and the term thereof shall terminate on the date fixed in such notice as if said date were the date originally fixed in this Lease for the termination or expiration thereof,

and on such termination, Lessor may enter the Premises or any part thereof, either with or without process of law, and expel Lessee or any person occupying the Premises, using such force as may be reasonably necessary to do so; or

(b) Relet the Premises or any part thereof, either in the name of Lessee or otherwise, for such term or terms as Lessor may determine, which may be more than or less than the period which otherwise would have constituted the balance of the term of this Lease, and in connection therewith, Lessee may grant concessions or charge a lower rent than that in this Lease; or

(c) Exercise any other legal right or remedy available to Lessor under law.

11. If any default shall occur, other than in the payment of money, which cannot with due diligence be cured within a period of fifteen (15) days, and Lessee, prior to the expiration of such period, commences to eliminate the cause of such default and proceeds diligently to cure such default and such default is thereafter cured, Lessor shall not have the right to exercise any of its rights or remedies hereunder.

11.1. All rights herein given to Lessor for the recovery of the Premises because of the default of Lessee are hereby reserved and conferred upon Lessor as distinct, separate, and cumulative remedies, and no one of them, whether exercised by Lessor or not, shall be deemed to be in exclusion of any other right or remedy which Lessor may have at law or in equity.

12. Eminent Domain. If the whole or any substantial part of the Premises shall be acquired or condemned by Eminent Domain or by deed in lieu thereof, for any public or quasi-public use or purpose, then and in that event, the term of this Lease shall cease and terminate from the date of title vesting in such proceeding and Lessee shall have no claim against Lessor for the value of any unexpired term of this Lease. No part of any award shall belong to Lessee. Lessee shall,

however, have the right to proceed independently against the condemning authority for the cost of relocation and fixtures owned by Lessee upon the expiration of the term as long as it in no way diminishes the award due to Lessor. Lessor shall give Lessee copies of any notices Lessor receives regarding the condemnation proceeding. If only a part of the Premises is acquired or condemned by Eminent Domain, and Lessee business is not materially affected by the taking, then Lessee shall be entitled to a rent abatement commensurate with the amount of space taken.

13. Insurance. The Lessee will provide and maintain public liability insurance coverage and hazard insurance on the structures to protect the Lessee and the Lessor against loss by reason of personal injury, death or property damage caused directly or indirectly by activities at the Discovery Center or by any person acting on behalf of the Discovery Center in the minimum amount of \$1,000,000.00. Such insurance shall name the Lessor as an additional insured on a primary non-contributory basis and be approved as to form and sufficiency by the City Corporation Counsel's Office.

13.1. Lessee shall provide and keep in effect during the term of this Lease for the benefit of Lessor and Lessee, a fire insurance policy written on an all risk basis covering the equipment of Lessor and Lessee insuring the equipment for its full replacement cost. Lessor shall be named as an additional insured on such policy.

13.2 Lessee agrees to indemnify and hold harmless Lessor of and from all suits, claims, costs (including but not limited to attorney's fees), expenses, demands and other actions arising out of the operation of the business of Lessee at the Premises or by reason of any violations or non-performance of any provision, covenant, or condition on the part of Lessee or its agents, employees or invitees, or by reason of any act or omission on the part of Lessee or its agents, employees or invitees.

13.3. The Lessee shall comply with all environmental laws and regulations applicable to Lessee's use and/or activities at the Premises.

13.4. The Lessee shall defend, indemnify and hold harmless the Lessor of, from and against any and all suits, claims and causes of action and any loss, costs, expenses, fines or penalties (including reasonable attorney's fees), and clean-up costs which the Lessor may incur or become liable to pay arising out of the breach by the Lessee of any of its obligations contained in paragraph "13".

14. Lessor covenants that Lessee on performing the covenants aforesaid shall and may peacefully and quietly have, hold and enjoy the Premises for the term aforesaid.

15. Lessee agrees that Lessor may appoint one director to the Board of Directors of Lessee.

16. All notices required hereunder to be served by either of the parties hereto shall be in writing and shall be either personally delivered to or mailed by registered or certified mail to the parties at the following respective addresses:

The Discovery Center of the Southern Tier,
Inc. c/o President, Board of Directors
60 Morgan Road
Binghamton, New York 13903

City of Binghamton
c/o Mayor's Office and a copy to the Corporation
Counsel 38 Hawley St., City Hall
Binghamton, New York 13901

17. The failure of the parties to insist upon a strict performance of any of the terms, conditions and covenants herein, shall not be deemed a waiver of any rights or remedies that the parties may have, and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions and covenants herein contained. This instrument may not be changed, modified,

discharged or terminated orally.

18. It is mutually understood and agreed that the covenants and agreements contained in the within Lease shall be binding upon the parties hereto and upon their respective successors, heirs, executors and administrators.

19. This Lease contains the entire agreement between the parties hereto and it or any part of it may not be changed, altered, modified, limited, terminated, or extended orally or by any agreement between the parties unless such agreement be expressed in writing, signed and acknowledged by the parties hereto, their legal representatives, successors or assigns, except as may be expressly otherwise provided herein."

IN WITNESS WHEREOF, the parties have set their hands and seals this ____ day of _____ 2021.

Signed, sealed and delivered in the presence of:

THE CITY OF BINGHAMTON

By: _____

THE DISCOVERY CENTER OF
THE SOUTHERN TIER, INC.

By: _____

Exhibit "A" of Lease between The Discovery
Center of the Southern Tier, Inc. and City of
Binghamton

Exhibit “B” of Lease between The Discovery Center of the Southern Tier, Inc. and City of Binghamton - Maintenance Requirements

Lessor agrees to provide the following services to Lessee:

- Use of the existing Water and Sewer Lines of Lessor, without charge to Lessee therefore;
- The Lessee may obtain up to 2 cubic yards of rock salt from the Lessor’s Department of Public Work’s facility at 17 Broad Avenue, Binghamton, New York, solely for use on the leased premises. The Lessee shall be solely responsible for transportation, storage and application of this rock salt. Lessee may cooperate with the Ross Park Zoo in regard to the transportation and storage of salt;
- Once per year the Lessor’s Parks Department shall provide and deliver to the Leased premises up to 5 cubic yards of playground grade mulch for exclusive use in the Story Garden and 20 cubic yards of landscaping mulch (wood chips) solely for use in the Leased premises landscape beds;
- Striping and maintaining parking lots and sidewalks.
- The Lessor shall maintain an account of \$10,000 annually on January 1st for the Lessee to expend on non-capital projects by submitting itemized invoices to the Lessor for payment. Unexpended funds will roll or accumulate from year to year. No later than July 1st of each year Lessor shall provide to Lessee a list of all capital projects, including but not limited to, roof replacements, HVAC systems, plumbing, electrical, retaining walls, parking lot replacement, fencing, stairways and walkways. Such list shall contain cost estimates and be listed in order of priority to the Lessor. Lessee agrees to consider the list of proposed capital items in its budgetary process
- All City owned vehicles and equipment will be offered for purchase to the Lessee at reasonable prices prior to going to auction;
- Maintaining lighting and electricity for Story Garden and parking lots.



Legislative Branch

RL Number: 22-77
Date Submitted: 3/3/22

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: A Resolution modifying the City's Chart of Accounts by adding a Custodial Trust Fund and the Corresponding accounts per GASB Pronouncement 84.

Suggested Content: A Resolution modifying the City's Chart of Accounts by adding a Custodial Trust Fund and the Corresponding accounts per GASB Pronouncement 84.

Additional Information

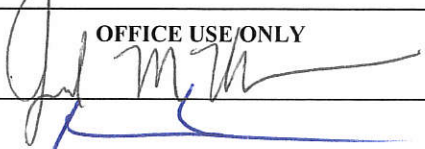
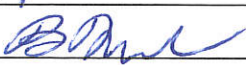
Does this RL concern grant funding? Yes No

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"/>



Legislative Branch

RL Number: 22-78
Date Submitted: 3/3/22

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: An Ordinance to amend the City Charter, Part 1, Chapter 5, subsection 7, para 7 to add Tioga State Bank N.A. as a company authorized to accept deposits of monies to the maximum as authorized in the Charter in the amount of \$40,000,000.

Suggested Content: An Ordinance to amend the City Charter, Part 1, Chapter 5, subsection 7, para 7 to add Tioga State Bank N.A. as a company authorized to accept deposits of monies to the maximum as authorized in the Charter in the amount of \$40,000,000

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"/>



Legislative Branch

RL Number:
22-82
Date Submitted:
3/15/22

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

Contact Information: 772-7011

RL Information

Proposed Title: An Ordinance to establish a revenue in the Ramps Fund

Effective 12/1.2021

Suggested Content: Set up account CP.43899 State Aid-Other Home and Community Services

+ CP. 410 DUE FROM STATE & FEDERAL GOVT

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"/>



Legislative Branch

RL Number:
22-83
Date Submitted:
3/15/22

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

Contact Information: 772-7011

RL Information

Proposed Title: An Ordinance to establish a Debt Reserve in the Ramp Fund and transfer \$540,304 into the reserve account. CP 884 (DEBT RESERVE.)

Suggested Content: Corp Counsel to set up the legislation per New York State Municipal Law.

These funds shall be paid equally for nineteen years (bond term remaining), any interest earned shall go towards the last year.

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 type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Legislative Branch

RL Number:

22-86

Date Submitted:

3/15/22

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: ordinance to amend the 2022 Capital fund budget to close bond lines that are no longer active.

Suggested Content: ordinance to amend the 2022 Capital fund budget to close bond lines that are no longer active. See 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): R18-90

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:

22-87

Date Submitted:

3/15/22

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 move an additional \$964,943 of American Rescue Plan Act fund
for Loss Revenue. A 44089, FOOTIS (FED AID OTHER ARPA)

Suggested Content: Original amount of \$12,494,152 was based on the US Treasury Interim Rule of 4.1%
growth rate and Final Rule allows for a 5.2% growth rate.

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): 021-85

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"/>

(1) *Standard allowance.* The reduction in the recipient's general revenue due to the public health emergency over the period of performance will be deemed to be ten million dollars; or

(2) *Formula.* The reduction in the recipient's general revenue due to the public health emergency over the period of performance equals the sum of the reduction in revenue, calculated as of each date identified in paragraph (d)(2)(i) of this section and according to the formula in paragraph (d)(2)(ii) of this section:

(i) A recipient must make a one-time election to calculate the reduction in its general revenue using information as of either:

(A) December 31, 2020, December 31, 2021, December 31, 2022, and December 31, 2023; or

(B) The last day of each of the recipient's fiscal years ending in 2020, 2021, 2022, and 2023.

(ii) A reduction in a recipient's general revenue for each date identified in paragraph (d)(2)(i) equals:

$$\text{Max } \{ [\text{Base Year Revenue} * (1 + \text{Growth Adjustment})^{(n_t/12)}] - \text{Actual General Revenue}; 0 \}$$

Where:

(A) Base Year Revenue is the recipient's general revenue for the most recent full fiscal year prior to the COVID-19 public health emergency;

(B) Growth Adjustment is equal to the greater of 5.2 percent (or 0.052) and the recipient's average annual revenue growth over the three full fiscal years prior to the COVID-19 public health emergency;



Legislative Branch

RL Number: 22-92
Date Submitted: 3/16/22

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: COMPROLLER

Contact Information: 772-7011

RL Information

Proposed Title: A resolution to increase the Assessor's salary from \$55,500 to \$85,000
and fund the additional money

Suggested Content: Increase A1355.51000 (Assessor) 29,500, decrease A1355.51000 (Clerk PT)
\$3360 (till April 15), reduce General Fund Fund Balance A.49999 \$26,140.

Additional Information

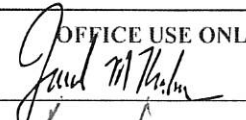
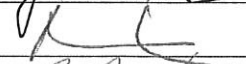
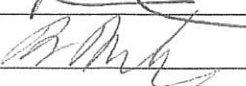
Does this RL concern grant funding? Yes No

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></u>				
Comptroller:	<u></u>				
Corporation Counsel:	<u></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: <u>22-93</u>
Date Submitted: <u>3/16/22</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: COMPROLLER

Contact Information: 607-772-7011

RL Information

Proposed Title: Amend the 2022 Insurance Fund Budget to use \$100,000 of insurance proceed
to purchase 4 vehicles to be replaced from State Street Accident damaged by Bert Adams

Suggested Content: Amend the 2022 Insurance Fund Budget to use \$100,000 of insurance proceeds
to purchase 4 vehicles to be replaced from State Street Accident damaged by Bert Adams

M 42680 (INS. RECOVERIES)
M 1910, 52600 EQUIPMENT

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 type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>