



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Phil Strawn, City Council President*  
*Leighton Rogers, City Clerk*

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**COUNCIL OF THE CITY OF BINGHAMTON**  
**Business Meeting Agenda**  
**City Hall, 38 Hawley Street, Binghamton, NY 13901**  
**Wednesday, April 20, 2022**

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. ACKNOWLEDGEMENTS AND RECOGNITIONS**

**V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES**

**Approval of Minutes**

Approve the Minutes from the April 6, 2022 Business Meeting.

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

No items to report.

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

No items to report.

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

No items to report.

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

No items to report.

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

No items to report.

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

No items to report.

**VI. APPROVAL OF APPOINTMENTS**

**VII. PUBLIC HEARING**

**VIII. SET PUBLIC HEARINGS**

**IX. PUBLIC COMMENT/COMMUNICATION**

Residents wishing to submit public comment may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to [clerk@cityofbinghamton.com](mailto:clerk@cityofbinghamton.com) or virtually via zoom during the meeting.



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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*Leighton Rogers, City Clerk*

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## X. REVIEW OF MAYORAL VETO

## XI. SECOND READING LEGISLATION

## XII. FIRST READING LEGISLATION

### A. PREFERRED AGENDA

#### **Introductory Ordinance 22-71. Considered in PW/Parks: Scanlon**

An Ordinance to amend the 2022 Fee Schedule to remove Safety Town Fees

#### **Introductory Ordinance 22-72. Considered in PW/Parks: Scanlon**

An Ordinance to amend the 2022 Fee Schedule to add Summer League Basketball and Water Volleyball

#### **Introductory Ordinance 22-73. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 DPW budget for purchase of pavement profiling software

#### **Introductory Ordinance 22-74. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Fire budget to hire 8 new firefighters

#### **Introductory Ordinance 22-75. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 Fire budget to increase supplemental disability

#### **Introductory Ordinance 22-76. Considered in PW/Parks: Scanlon**

An Ordinance to amend the 2022 Fee Schedule for park bench and tree donations

#### **Introductory Ordinance 22-77. Considered in Planning: Scanlon**

An Ordinance to amend Permanent Ordinance 20-039 regarding the sale of a portion of Elizabeth Street and for the sale of 168 Oak Street to Front Street Residences LLC

#### **Introductory Ordinance 22-78. Considered in Finance: Scaringi**

An Ordinance to amend the 2022 budget to allocate ARPA funds for a storm water management/subsurface drainage project at Ross Park

#### **Introductory Resolution 22-32. Considered in PW/Parks: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with the Binghamton Youth Sports Association to operate concession stands at youth sporting events

#### **Introductory Resolution 22-33. Considered in PW/Parks: Scanlon**

A Resolution to adopt the Binghamton Metropolitan Transportation Study proposed multi-use trail regulation guidelines

#### **Introductory Resolution 22-34. Considered in Planning: Scanlon**



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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A Resolution to correct the 2022 tax rolls for 62 The Circuit Street

**Introductory Resolution 22-35. Considered in Finance: Scaringi**

A Resolution authorizing the City of Binghamton to accept a donation from the Jane Johnson Wasson Trust for the Ross Park Carousel Renovation

**Introductory Resolution 22-36. Considered in Finance: Scaringi**

A Resolution amending Permanent Resolution 21-90 to increase the local match amount

**Introductory Resolution 22-37. Considered in PW/Parks: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Environmental Design & Research, DPC for the Ross Park Carousel Restoration and Relocation Project

**Introductory Resolution 22-38. Considered in Finance: Scaringi**

A Resolution authorizing the Mayor to enter into Supplemental Amendment No. 3 with Barton & Loguidice, DPC for any additional review, engineering, testing and management at Rec Park

**Introductory Resolution 22-39. Considered in Finance: Scaringi**

A Resolution authorizing the Mayor to enter into an agreement with New York State Environmental Facilities Corporation for the First Ward Inflow and Infiltration Study

**Introductory Resolution 22-40. Considered in Finance: Scaringi**

A Resolution authorizing the Mayor to enter into an agreement with Barton & Loguidice, DPC for the First Ward Inflow and Infiltration Study

**Introductory Resolution 22-41. Considered in Finance: Scaringi**

A Resolution authorizing the Mayor to enter into an agreement with Atlantic Testing Laboratories, Limited for an asbestos project monitoring agreement

**Introductory Resolution 22-42. Considered in Finance: Scaringi**

A Resolution authorizing the Mayor to enter into an agreement with J.S. Miller Appraisal Associates, LLC for appraisal of 12 commercial properties

**B. NON PREFERRED AGENDA**

**Introductory Ordinance 22-70. Considered in Planning: Scanlon**

An Ordinance authorizing the sale of 19 Franklin Street to Elwin W. Warner

**XIII. COMMUNICATIONS FROM COUNCIL MEMBERS**

**XIV. ADJOURNMENT**



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

Date: April 20, 2022

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

Introduced by Committee: PW/Parks

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022 FEE  
SCHEDULE TO REMOVE SAFETY TOWN FEES**

WHEREAS, the Commissioner of Parks and Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 City fee schedule, Appendix C, to remove Safety Town fees.

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

Section 1. That the 2022 City fee schedule, Appendix C, is hereby amended to remove Safety Town fees.

Section 2. That this Ordinance shall take effect immediately.



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

Date: April 20, 2022

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

Introduced by Committee: PW/Parks

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022 FEE  
SCHEDULE TO ADD SUMMER LEAGUE  
BASKETBALL AND WATER VOLLEYBALL**

WHEREAS, the Commissioner of Parks and Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 City fee schedule, Appendix C, to add outdoor and indoor summer league basketball fees and water volleyball fees; and

WHEREAS, the fee for outdoor summer league basketball will be \$100 per team; the fee for indoor summer league basketball will be \$375 per team; and the fee for adult water volleyball will be \$100 per team.

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

Section 1. That the 2022 City fee schedule, Appendix C, is hereby amended to add (i) a fee for outdoor summer league basketball at \$100 per team; (ii) a fee for indoor summer league basketball at \$375 per team; and (iii) a fee for adult water volleyball at \$100 per team.

Section 2. That this Ordinance shall take effect immediately.



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022 DPW  
BUDGET FOR PURCHASE OF PAVEMENT  
PROFILING SOFTWARE**

WHEREAS, the Commissioner of Public Works and Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 DPW budget to purchase pavement profiling software for 1 year data collection and subscription; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 20, 2022.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 DPW budget to purchase pavement profiling software for 1 year data collection and subscription as follows:

- (i) \$8,000 decrease expense budget line A1650.51000 (Per.Ser.-Laborer)
- (ii) \$8,000 decrease expense budget line A1650.51000 (Per.Ser.-Painter)
- (iii) \$16,000 increase expense budget line A9950.59000 (Interfund Transfer)
- (iv) \$16,000 increase revenue budget line H.45031 (Interfund Transfer)
- (v) \$16,000 increase expense budget line H1680.590004 (Hardware/Software)

Section 2. That this Ordinance shall take effect immediately.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022 FIRE  
BUDGET TO HIRE EIGHT (8) NEW  
FIREFIGHTERS**

WHEREAS, the Fire Chief and Comptroller of the City of Binghamton find it proper and necessary to (i) amend the 2022 Fire budget to add seven (7) additional Probationary Firefighters, (ii) amend the 2022 Fire budget to add one (1) additional Grade-5 Firefighter, (iii) to transfer funds in the 2022 Fire budget to fund four (4) of the additional Probationary Firefighters and there are sufficient funds in the Grade-5 Firefighter budget line to fund one (1) additional Grade-5 Firefighter, (iii) amend the 2022 Fire budget to create new expense budget lines to fund three (3) of the additional Probationary Firefighters and to allocate American Rescue Plan Act (ARPA) funds in the amount of \$179,630.74 for same; and

WHEREAS, these eight (8) new positions are in addition to the four (4) new positions funded in the 2022 budget as of 4/1, for a total of twelve (12) new hires; and

WHEREAS, these additions will bring staffing to its previous level as required by ARPA; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 20, 2022.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 Fire budget to (i) add seven (7) additional Probationary Firefighters, budget line A3410.51000 (Per.Serv-Firefighter Probationary), from eight (8) to fifteen (15) [in addition to the four (4) new positions funded in the 2022 budget as of 4/1], and (ii) add one (1) additional Grade-5 Firefighter, budget line A3410.51000 (Per.Serv-Grade5 F/F), from eight (8) to nine (9).

Section 2. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 Fire budget to transfer funds to fund four (4) Probationary Firefighters and no transfer is necessary to fund the one (1) Grade-5 Firefighter until the end of the year as follows:

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

Date: April 20, 2022

Transfer From (Decrease):

\$140,760.00 A3410.51000 (Per.Ser-F/F various)  
10,557.42 A9015.58000 (Retirement)  
1,428.41 A9040.58000D (Workers Comp)  
11,685.18 A3410.51600 (Holiday Pay)  
7,866.43 A3410.51660 (AL Leave)  
\$172,297.44

Transfer To (Increase):

\$165,148.52 A3410.51000 (Per.Ser-add 4  
Probationary F/F)  
1,148.92 A9030.58000B (FICA)  
6,000.00 A3410.54190 (Clothing)  
\$172,297.44

Section 3. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 Fire budget to create new expense budget lines and to allocate ARPA funds to hire three (3) Probationary Firefighters until the end of the year as follows:

- (i) \$179,630.74 increase revenue budget line A.44089.F0015 (Fed.Aid-Stimulus)
- (ii) \$ 90,965.13 increase expense budget line A3410.51000.F0015 (Per.Ser-3 Probationary F/F)
- (iii) \$ 4,784.75 increase expense budget line A9040.58000D.F0015 (Workers Comp)
- (iv) \$ 6,958.81 increase expense budget line A9030.58000B.F0015 (FICA)
- (v) \$ 23,287.00 increase expense budget line A9015.58000.F0015 (Retirement)
- (vi) \$ 3,600.00 increase expense budget line A3410.54190.F0015 (Clothing-Allowance)
- (vii) \$ 45,600.00 increase expense budget line A3410.54190.F0015 (Clothing-Turn Out Gear)
- (viii) \$ 3,457.08 increase expense budget line A3410.51600.F0015 (Holiday Pay)
- (ix) \$ 977.96 increase expense budget line A3410.51660.F0015 (AL Leave)

Section 4. That this Ordinance shall take effect as of April 18, 2022.

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

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





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

Date: April 20, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022 FIRE  
BUDGET TO INCREASE SUPPLEMENTAL  
DISABILITY**

WHEREAS, the Fire Chief and Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 Fire budget to increase supplemental disability due to an additional firefighter on disability; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 20, 2022.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 Fire budget to increase supplemental disability due to an additional firefighter on disability as follows:

Transfer From (Decrease):

\$36,790.98 A3410.51000 (Per.Ser-Firefighter  
Various)

Transfer To (Increase):

\$36,790.98 A9085.58000 (Suppl. Payments  
to Disabled FF)

Section 2. That this Ordinance shall take effect immediately.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: PW/Parks

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2022 FEE  
SCHEDULE FOR PARK BENCH AND TREE  
DONATIONS**

WHEREAS, the Commissioner of Parks and Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 City fee schedule, Appendix C, for park bench and tree donations; and

WHEREAS, a new park bench with plaque will be \$3,500; a new park bench without a plaque will be \$2,500; a new tree planting will be \$500; and adopting a tree will be \$250; and

WHEREAS, the park bench and tree donation program policy and application is attached.

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

Section 1. That the 2022 City fee schedule, Appendix C, is hereby amended to add (i) a fee for a new park bench with plaque at \$3,500; (ii) a fee for a new park bench without a plaque at \$2,500; (iii) a fee for a new tree planting at \$500; and (iv) a fee to adopt a tree at \$250. The park bench and tree donation program policy and application is attached.

Section 2. That these fees will be deposited into budget line TC.688.TC008 (Other Liability-Park Bench/Tree Donations)

Section 3. That this Ordinance shall take effect immediately.



## DONATIONS TO BINGHAMTON PARKS

Thank you for considering the Parks and Recreation Department for your donation. We look forward to working with you.

The City of Binghamton Parks and Recreation Department provides the opportunity for members of our community to donate or dedicate trees, benches or other parks amenities within our park system. In order to allow for a coordinated and consistent program for soliciting and recognizing contributions, we have established the following guidelines. The guidelines were developed based on research on the best practices of similar agencies nationwide, the needs and resource capabilities of the Parks and Recreation Department and the desire of citizens to recognize loved ones through monetary contributions providing for specific lasting memorials.

The Parks Department will provide the plaque and determine the size, shape, and material.

The Parks and Recreation Department donation guidelines allow for several types of opportunities.

We encourage citizens to contact the Department to discuss ideas for locations of trees, benches and other amenities, however final locations will be dependent on the needs of the department and planning processes already underway.

### **Donations will be accepted in the following categories:**

- **Tree Donations:** Donations will be accepted in the form of new or existing tree plantings in City Parks. No plaques will be installed at the base of or on the tree when the tree is planted.
- **Bench and Other Park Amenity Donations:** Donations for new or existing park benches will be accepted depending upon the location. A donor recognition plaque will be installed on new benches or the base of the bench depending on the park and site conditions.
- **General Park and Program Donations:** Donations for general park and recreation purposes are accepted and encouraged.
- **New or Existing Statues, Fountains, Plazas, Gardens, etc.:** Donations of statues, fountains, plazas, gardens, etc. may be accepted under specific circumstances. The Department will determine location and whether existing amenities can be dedicated.

## **General Park Donations**

**General donations** gifted to the Parks and Recreation Department will be acknowledged by a letter from the Parks Department. Funds generated by these donations will be used to best meet current needs of the Department as determined by the Commissioner. From time to time, the Department may be accepting donations for a specific project to benefit the Department. A list of opportunities for project-specific donations will be maintained and provided to those who express interest.

**New or Existing Statues, Fountains, Plazas, and Gardens etc.:** Donations which are large in scale are generally not encouraged. To the extent that projects of this nature are consistent with park planning processes they may be considered on a case-by-case basis. Donors may contact the Department to discuss their idea.

## **Binghamton Tree Program**

The Binghamton Tree Program provides individuals and organizations with the opportunity to honor people and commemorate special events by planting trees in City Parks within the City of Binghamton.

Trees may be donated by individuals in memory of a loved one, or to celebrate special events such as the birth of a child, or to observe a wedding. Other organizations may want to dedicate a tree as a living asset to the surrounding community.

Binghamton's extensive City Parks system is continually growing and trees are a great way to increase the beauty of our City and provide countless benefits to the community. Your contribution will be used to purchase trees to be planted in the Binghamton Parks system and the City Parks Department personnel will care for the trees. Contributions for one or more trees are gratefully accepted.

Although, we accept requests year round, trees will only be planted in the spring or fall to give the trees the best chance of survival. Through communication between the City Arborist with final determination by the Department and the contributor, an approved species will be chosen based on the desired planting site. Deciduous trees will be at least .5 inches in diameter and evergreen trees will be 5 to 6 feet in height.

Binghamton Tree Program contributors are always welcome to attend the tree planting. Please find attached more detailed guidelines on the tree and bench donation program. If you have any questions regarding the Binghamton Tree Program, please contact the Commissioner's Administrative Assistant at 607-772-7017.

## **Binghamton Park Bench Program**

We invite you to participate in our Memorial Bench Program. The program provides an opportunity to commemorate a special person or occasion with the placement of a bench that enhances our community's parks. Please find attached more detailed guidelines on the tree and bench donation program. Contact the Commissioner's Administrative Assistant for more information and to discuss options at 607-772-7017.



## Tree and Bench Donation Program

The Parks and Recreation Department of the City of Binghamton accepts donations to restore and improve Binghamton's renowned open spaces. You may also request that your donation be utilized to improve a specific park at the time of your donation. Trees and benches make great gifts to both your beneficiary and your favorite park. Best of all, your donation helps support parks citywide!

**Park Benches:** Donations for park benches are accepted depending upon the location. A donor recognition plaque will be installed on the bench or at the base of the bench depending on the park and site conditions.

**New Park Bench w/plaque:** \$3,500

**New Park Bench no/plaque:** \$2,500

**Park Trees:** Donations may be made for trees in most Binghamton parks depending upon planting space available. No plaques will be installed with tree donations

**New Tree Planting:** \$500

**Adopt a current tree:** \$250

### Bench and Tree Donation Program Policy

1. This policy is designed to enable residents and park users to support Binghamton parks through a contribution. Contributions may be acknowledged by a plaque if desired on BENCHES ONLY. The plaque is symbolic of the donation. It does not entitle the donor to ownership of the particular donated element.
2. Donation applications will be due by January 1<sup>st</sup> for summer installation and May 1<sup>st</sup> for fall installation. Due to the unpredictability of weather and staffing demands, we cannot guarantee a specific installation date within a given season.
3. Complete funding for the donation must be processed before the commencement of any work. The current donation levels are stated herein. These amounts are adjusted periodically.
4. A donation period will last 10 years. Within this time, the Department will replace, at no cost to the donor, a bench or plaque that has been stolen or damaged. The cost of any

subsequent replacement plaques or benches will be the financial responsibility of the donor and must be coordinated through the Department. New park trees will be replaced once within two years of the original planting date if deemed necessary by the Department. (Adopted trees will not be replanted)

5. After 10 years, the donated element will be available for renewal for the cost of a new donation with the first right of refusal given to the original donor. If the original donor opts not to renew, the donated element and plaque may be removed or rededicated at any time.
6. The Department retains the right to relocate a donated element and plaque at any given time. If an element needs to be relocated, the Department will attempt to contact the donor to discuss alternative locations: the Department will make the final determination.
7. For new park trees, the donor may request a specific tree species and or planting location, but the Department will make the final determination.
8. The donor may select a bench location from existing park bench locations. A new bench may only be installed in a new location with the approval of the Department. Plaque location, will be determined by the Department.
9. Plaque size and wording limits will be determined by the Parks Department based on currently available benches. Text is subject to the space approval of the Parks Commissioner.
10. The recognition plaque is not intended to serve as a memorial markers; **birth and/or death dates are not permitted.** Messages should be simple statements recalling the event or person recognized.
11. No logos of any kind are permitted on plaques.
12. Only tree and bench donations are covered by this policy. A donor requesting any other donation, dedication, or memorial shall apply to the Parks Commissioner.
13. This policy does not supersede the regulations or ordinances of City of Binghamton regulating authority.



# Tree and Bench Donation Program Application

If you have any questions regarding the program, please call the Department of Parks and Recreation at 607-772-7017. All applications are reviewed for appropriateness and subject to approval. Please type or print legibly.

## 1. Applicant Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ EMAIL: \_\_\_\_\_

## 2. Donation Information (Please Circle)

New Bench with plaque (\$3,500)

New Bench without plaque (\$2,500)

New Tree planting (\$500)

Adopt a Tree (\$250)

## 3. Desired Park Location:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 4. Proposed Text for Plaque


## 5. Payment: Please make checks payable to "City of Binghamton"

### Please return this form to:

Department of Parks and Recreation- Bench/Tree Donation Program  
38 Hawley Street  
3<sup>rd</sup> Floor  
Binghamton, NY, 13901

I have read, fully understand, and agree to abide by the Tree and Bench Donation Program Policy. My signature below indicates that I have read this document in its entirety, and understand that:

A. The Department makes all final decisions, including but not limited to availability, bench location, bench style, tree location, and tree species.

B. All language used on recognition plaques is subject to approval.

C. All donated items are the property of The City of Binghamton Department of Parks and Recreation, and will be maintained according to the Department policy and priorities.

D. At the end of the dedication period, the donated item will be available for renewal with the first right of refusal given to the original donor.

Signature of Donor: \_\_\_\_\_ Date: \_\_\_\_\_



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

Date: April 20, 2022

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND PERMANENT  
ORDINANCE 20-039 REGARDING THE SALE  
OF A PORTION OF ELIZABETH STREET AND  
FOR THE SALE OF 168 OAK STREET TO  
FRONT STREET RESIDENCES LLC

WHEREAS, pursuant to Permanent Ordinance 20-039, dated April 7, 2020, City Council approved the sale of certain real property located at 168 Oak Street, Binghamton, New York, Tax Parcel No. 160.24-3-7 and a portion of Elizabeth Street, from Gerard Ave. to the end, (collectively the "Premises") to Front Street Residences LLC (the "Applicant") for \$4,800 for future use of the Premises for the construction of not less than 115 affordable housing units in two phases and for related recreation space; and

WHEREAS, pursuant to General City Law § 20, on April 7, 2020, City Council held a public hearing and completed SEQRA regarding abandonment of a portion of Elizabeth Street, from Gerard Ave. to the end, as public property; and

WHEREAS, City Council has determined that the real property located at Elizabeth Street, from Gerard Ave to the end, and 168 Oak Street are no longer necessary for any public purpose; and

WHEREAS, the Assessor of the City of Binghamton has determined the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on March 18, 2020; and

WHEREAS, on April 7, 2020, a draft of Permanent Ordinance 20-039 was inadvertently approved; and

WHEREAS, City Council wishes to amend Permanent Ordinance 20-039 in its entirety and to be replaced by this Ordinance.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain by at least a three-fourths vote as follows:

Section 1. That Permanent Ordinance 20-039 is hereby amended in its entirety and is replaced by this Ordinance.



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

Date: April 20, 2022

Section 2. That a portion of Elizabeth Street, from Gerard Ave. to the end, is no longer necessary for public use.

Section 3. That the Mayor and the Commissioner of Public Works are authorized to take the necessary action to properly discontinue a portion of Elizabeth Street, from Gerard Ave. to the end, as a City Street, including a reservation of utility or other easements as may be deemed necessary.

Section 4. That the Mayor of the City of Binghamton is hereby authorized to enter into a contract for sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer the Premises to Front Street Residences LLC, by Quitclaim Deed for \$4,800 to be paid by cash, certified, or local bank check.

Section 5. This transfer is subject to the following conditions: (i) the Premises may only be used for the construction of not less than 115 affordable housing units in two phases and for related recreation, or such other use as may be approved by the City of Binghamton City Council and Planning Commission and (ii) this Ordinance is valid for one year from the date hereto, unless extended by the Board of Estimate and Apportionment and City Council.

Section 6. That this Ordinance shall take effect immediately.



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2022  
BUDGET TO ALLOCATE AMERICAN RESCUE  
PLAN ACT FUNDS FOR A STORM WATER  
MANAGEMENT/SUBSURFACE DRAINAGE  
PROJECT AT ROSS PARK

WHEREAS, the Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 budget to allocate American Rescue Plan Act (ARPA) funds for a storm water management/subsurface drainage project at Ross Park in the amount of \$750,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 20, 2022.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to increase the allocation of American Rescue Plan Act (ARPA) funds for a storm water management/subsurface drainage project at Ross Park in the amount of \$750,000 as follows:

- (i) \$750,000 increase revenue budget line A.44089.F0015 (Federal Aid-Other)
- (ii) \$750,000 increase expense budget line A9950.59000.F0015 (Interfund Transfer)
- (iii) \$750,000 increase revenue budget line H.45031.F0015 (Interfund Transfer)
- (iv) \$750,000 increase expense budget line H8120.525055.F0015 (Replace Sewer Lines)

Section 2. That this Ordinance shall take effect immediately.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: PW/Parks

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH THE  
BINGHAMTON YOUTH SPORTS  
ASSOCIATION TO OPERATE CONCESSION  
STANDS AT YOUTH SPORTING EVENTS

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with the Binghamton Youth Sports Association (BYSA) to operate concession stands and sell field advertisements at the City of Binghamton Youth Sporting Events; and

WHEREAS, the proposed agreement with the BYSA is attached.

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 an agreement, approved as to form and content by the Office of Corporation Counsel, with the BYSA to operate concession stands and sell field advertisements at the City of Binghamton Youth Sporting Events; and that the proposed agreement with the BYSA is attached.

**AGREEMENT BETWEEN THE CITY OF BINGHAMTON AND  
THE BINGHAMTON YOUTH SPORTS ASSOCIATION, INC.**

This Agreement made this        day of       , 2022, by and between the **CITY OF BINGHAMTON**, (hereinafter known and designated as the "City") a municipal corporation created and existing under the laws of the State of New York, City Hall, Binghamton, New York, 13901, and the **BINGHAMTON YOUTH SPORTS ASSOCIATION, INC.**, a not-for-profit corporation organized pursuant to the laws of the State of New York (hereinafter known and designated as the "B.Y.S.A.") 226 Clinton Street, Binghamton, New York 13905-0042, concerning Binghamton Parks & Recreation facilities used for youth sports.

WITNESSETH:

1. The B.Y.S.A. shall operate concession stands at Binghamton Parks & Recreation facilities for City of Binghamton youth sports, including, but not limited to, baseball, softball, football, and for other special events as provided below.

2. The B.Y.S.A. shall have a right of first refusal to operate concession stands for "special events." The Commissioner of Parks and Recreation of the City of Binghamton (the "Commissioner"), in his/her sole discretion, shall determine what "special events" may be offered to the B.Y.S.A. If a special event is offered to the B.Y.S.A., the City will use its best efforts to provide the B.Y.S.A. with written notice of scheduled special event at least thirty (30) days in advance of such special event; however, the failure to provide such notice shall not constitute a default under this Agreement. The B.Y.S.A. shall provide written notice to the City at least fourteen (14) days in advance of any special event if the B.Y.S.A. or its assignee does not intend to operate a concession stand, as may be determined by the B.Y.S.A. in its sole discretion.

3. The B.Y.S.A. shall have the right to sell advertising banners for outfield fences. All banners must be approved by the Commissioner.

4. The B.Y.S.A. may not assign operation of the concession stands to any other person or organization without the written approval of Commissioner. Such approval will not be required if the Assignee is a Binghamton City School District (BCSD) Parent Teacher Association (PTA) or booster club. Notwithstanding the foregoing, the Commissioner, in his/her sole discretion, may refuse to permit any assignment that would not be in the best interest of the operations of the Park or the playing fields.

5. The B.Y.S.A. shall hold the City harmless from any claim, proceeding, and/or cause of action arising from the operation of the concession stand or related facilities by the B.Y.S.A., its agents and/or assignees, including attorney's fees and disbursements.

6. The B.Y.S.A. shall provide the City with a certificate of insurance naming the City of Binghamton as an additional insured on a primary, non-contributory basis on a General Commercial liability policy with a minimum amount of \$1,000,000.00 liability coverage, and acceptable to the Corporation Counsel of the City.

7. All net proceeds from the operation of the concession stand, advertising banners, or otherwise generated by the B.Y.S.A. shall be spent on (1) the maintenance of the concession stands, (2) Park facilities, and (3) the City youth sports leagues and teams. Beginning in 2023, the B.Y.S.A. shall provide to the Commissioner on or before February

1 of each year: (i) a budget with an estimate of gross income, expenses, and allocation of net proceeds for the upcoming year (from March 1 to February 28 of the following year) and (ii) a final accounting of the previous year's gross income, expenses, and expenditure of net proceeds. Such accountings shall include any state and federal returns, if applicable, submitted by the B.Y.S.A. The Commissioner and his/her agents shall have the right to audit the financial records kept by the B.Y.S.A. at any time upon five (5) days written notice to the B.Y.S.A. The B.Y.S.A. shall provide such records to the Commissioner or his/her agents.

8. The City shall be provide water, electric, and sewer service to the concession stands at no cost to the B.Y.S.A. The City will also continue to provide maintenance of the field and facilities. Such maintenance is in the City's sole discretion. Nothing herein prohibits the City from closing any Park, field, or facilities as the City may deem necessary.

9. Either party may terminate this Agreement in the event of a default or by providing written notice to the other party not to renew this Agreement on or before February 1 of each year. Unless otherwise terminated, this Agreement will continue until January 31, 2027. In the event of a default, the non-defaulting party will provide the other party with written notice of the default and three (3) days to cure any failure to provide any document or accounting, or a reasonable time to cure any other default.

10. No construction shall be commenced by the B.Y.S.A. until after consultation and written approval form the Commissioner and City Engineer or Building Superintendent. All projects and improvements shall be to the standards of the area and the NYS Building and Fire Code, if applicable. All projects and improvements are subject to an inspection and final approval by the City Engineer or Building Superintendent.

11. The B.Y.S.A. will comply with the prevailing wage laws of the State of New York, if applicable. The B.Y.S.A. agrees to pay any fine, penalty or, underpayment as a result of its failure to comply with the prevailing wage laws of the State of New York.

12. The B.Y.S.A. acknowledges that the City is, and will be, the sole owner of the properties, including any projects and improvements constructed by the B.Y.S.A.

13. Maintenance of the concession stands will be the responsibility of the B.Y.S.A. During and after each game, all garbage will be collected and placed in appropriate sized containers for pickup by the City.

14. No advertising signs will be on the exterior of any building. Advertising signs, including menu items and prices can be posted on the flaps/canopy/awnings of the building which open to the concession stand counter. It is intended that the aforementioned flaps/canopy/awnings will be open and advertising visible just prior, during, and for a short time after games at the field.

15. Any written notice required by this Agreement will be either hand delivered to the other party at the addresses set forth above or via email to the B.Y.S.A. at \_\_\_\_\_ and to the City at \_\_\_\_\_; or at such other email address as may be designated by such party.

16. This Agreement may not be amended unless such amendment is in writing and approved by both parties. Certain amendments, e.g., an extension past January 31, 2027,

may also require Binghamton City Council approval.

17. This Agreement will be interpreted pursuant to the laws of the State of New York and venue for any action or proceeding will be Broome County, New York.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date set forth above.

**BINGHAMTON YOUTH SPORTS ASSOCIATION, INC.**

By: \_\_\_\_\_

**CITY OF BINGHAMTON**

By: \_\_\_\_\_  
Jared M. Kraham, Mayor



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

Date: April 20, 2022

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

Introduced by Committee: PW/Parks

**RESOLUTION**

*entitled*

A RESOLUTION TO ADOPT THE  
BINGHAMTON METROPOLITAN  
TRANSPORTATION STUDY PROPOSED  
MULTI-USE TRAIL REGULATION  
GUIDELINES

WHEREAS, the Mayor of the City of Binghamton and City Council wish to adopt the Binghamton Metropolitan Transportation Study (BMTS) proposed multi-use trail regulation guidelines for the Two Rivers Greenway portions within City limits; and

WHEREAS, the BMTS guidelines are attached hereto.

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 and City Council hereby approves the proposed multi-use trail regulation guidelines attached hereto; and be it further

RESOLVED that the guidelines shall be approved as of the date this Resolution is approved by the Mayor.

# BMTS E-Bike & E-Scooter Multi-use Trail Regulations Guide



**Binghamton Metropolitan  
Transportation Study (BMTS)**

**February 2022**



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## BMTS E-Bike & E-Scooter Multi-use Trail Regulations Guide 2022

### INTRODUCTION

As will be explained in the study below, due to lack of specific text and guidance, the current New York State e-bike and e-scooter legislation necessitates regulations to be established by each municipality with jurisdiction of multi-use trails for e-bikes to be permitted on multi-use trails, along with consideration of other micromobility devices such as e-scooters. Furthermore, the municipal regulations need to provide a safe, comfortable, and enjoyable trail user experience by delineating trail use rules. This study proposes use regulations for municipalities to adopt for their respective trails comprising the Two Rivers Greenway.

### PURPOSE OF STUDY

To compile best practices for regulating the use of e-bikes, e-scooters, and other micromobility devices on off-road multi-use trails, and to use the information to guide municipalities in the development of local trail use regulations. The intent is to maximize trail users' safety and enjoyment by creating uniform trail use regulations across the entire Two Rivers Greenway trail system, realizing that each municipality will be responsible for their own regulations and that customization may be needed to address issues unique to each municipality's trail segments.

### DEFINITIONS:

**E-bike** – A bicycle with electric assist, with an electric motor of less than 750 watts, and equipped with pedals, thereby meeting the equipment and manufacturing requirements for bicycles adopted by the Consumer Product Safety Commission in 2002. There are three classes of e-bikes:

- **Class 1:** The electric motor provides assistance only when the rider is pedaling. The maximum assisted speed is 20 miles per hour.
- **Class 2:** The electric motor may be used without pedaling, but stops providing assistance at 20 miles per hour.
- **Class 3:** The electric motor may be used without pedaling, but stops providing assistance at 25 miles per hour.

1 & 2 (Pg. 74)

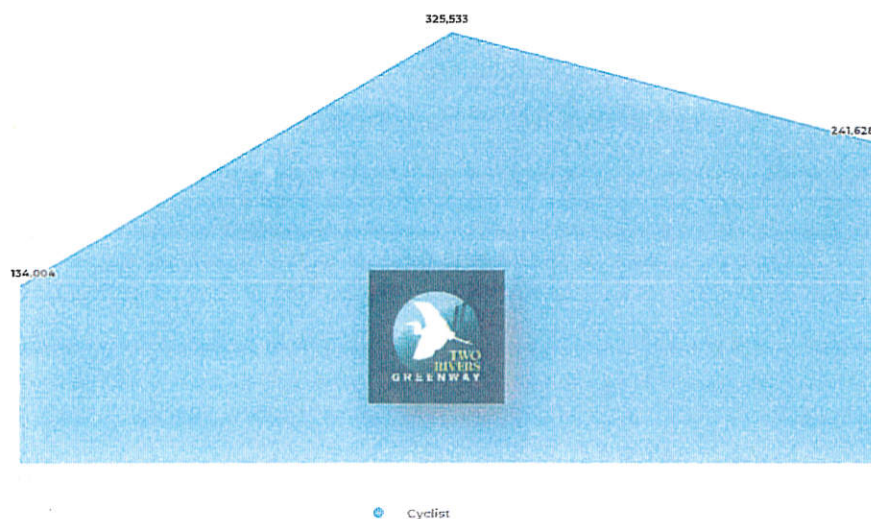
**E-scooter** – Every device weighing less than one hundred pounds that (a) has handlebars, a floorboard or a seat that can be stood or sat upon by the operator, and an electric motor, (b) can be powered by the electric motor and/or human power, and (c) has a maximum speed of no more than twenty miles per hour on a paved level surface when powered solely by the electric motor. 2 (Pg. 74)

**Micromobility** – Transportation using lightweight vehicles such as bicycles or scooters, including electric models. Other current micromobility devices include e-skateboards and self-balancing devices such as hoverboards and unicycles.

**Multi-use Trails** – Trails, typically paved, that are separated from motor vehicle traffic and dedicated for non-motorized travel such as walking, wheelchair users, and biking. The focus of this study is on the Two Rivers Greenway multi-use trail system.

#### BACKGROUND – THE NEED FOR E-BIKE/E-SCOOTER REGULATIONS FOR MULTI-USE TRAILS

A New York Times article, dated March 2, 2021, reported that, according to data from the NPD Group, bicycle sales rose 65% in the United States between 2019 and 2020, and electric bike (a.k.a. e-bike) sales grew by 145% in the same period.<sup>3</sup> Fueled by the COVID-19 pandemic, this increase in bike and e-bike sales was also occurring locally, and evidence of significant bike use has been documented on the multi-use trails segments comprising the Two Rivers Greenway.<sup>4</sup>



**Figure 1:**  
BMTS  
Bicyclist  
Counts on the  
Two  
Rivers  
Greenway

E-bike technology, along with other micromobility devices such as e-scooters, continues to rapidly develop. With strong sales trends continuing and plans for e-bike library and e-bike share programs being pursued locally, demand for e-bike use on the Two Rivers Greenway trails is likely to continue to increase along with other forms of micromobility.

During 2020, New York State E-Bike and E- Scooter Legislation<sup>2</sup> was passed, which defined both devices and where they can be operated on the roadway. Though the current New York State legislation specifies legal use of e-bikes and e-scooters on roadways, it appears to effectively ban both from multi-use trails as they are not specifically defined or permitted in the list of locations where an e-bike can operate. Local legislation by the appropriate municipality or agency is therefore necessary to allow e-bikes on these facilities.<sup>1</sup>

## THE CASE FOR PERMITTING E-BIKES ON MULTI-USE TRAILS

Multi-use trails, like those comprising the Two Rivers Greenway, have typically been recognized for their recreational value for walkers, runners, bicyclists, and other wheeled devices. As the Two Rivers Greenway continues to expand and become more contiguous, its function as a transportation resource continues to grow in importance. With that in mind, the following are a list of e-bike benefits that provide justification to permit them to use multi-use trails.

### **Benefits of E-bikes:<sup>1</sup>**

- Accessibility
  - Enables riders of diverse ages & abilities
  - Makes longer-distance trips more feasible
  - Makes routes with hills easier
- Health
  - Benefits heart, lung, and muscle health
  - Provides a low-impact exercise option
  - Outdoor activity is good for mental health
- Environment
  - Often replaces motor vehicle trips
  - No use of gasoline
  - No emissions

E-scooters also have many of the same benefits as e-bikes.

Typical multi-use trails, including those of the Two Rivers Greenway, have been serving pedestrians, bicyclists, and other non-motorized users. Including e-bikes, e-scooters and other electric-powered devices among the existing trail users should not be a problem as long as they are operated in compliance with common trail etiquette practices such as maintaining safe speeds and heeding all posted speed limits; keeping right, passing left with an audible warning; and yielding to pedestrians and other slower trail users.

## ISSUES WITH MULTIPLE TYPES OF USERS SHARING THE TRAILS

Upon corresponding with local municipal officials from municipalities with jurisdiction of trails comprising the Two Rivers Greenway, the following were the most common trail user issues observed or reported:

- erratic behavior of trail users
- speed of wheeled devices
- controlling and cleaning-up after dogs

For an enjoyable and safe experience, all trail users regardless of travel mode must use the trail with respect for one another.

## RAILS-TO-TRAILS CONSERVANCY (RTC) FINDINGS AND POSITIONS

The RTC, formed during 1986, is one of the most recognized organizations nationally for expertise on multi-use trail development and management issues. The following are its findings and positions on e-bike and other micromobility device use on multi-use trails.

Observing proper trail behavior—especially safe speeds—is not just the right thing to do, it is absolutely critical to maintaining a high standard of safety for all trail users. The top electric motor speed of Class I and Class II e-bikes is 20 mph, and the top speed of a Class III e-bike is 28 mph. By comparison, Google Maps uses an average speed of 10 mph for their bicycle directions, and a person of average health typically cycles at about 13 mph. The average speed of a Tour de France bicycle racer is 25 mph. The RTC, feels that user conflicts caused by speed are more about behavior than technology. Both traditional cyclists—especially fit cyclists or racers—and e-bike users have the potential to cause speed-related user conflicts. While e-bikes could exacerbate trail conflicts, it is most important to educate all cyclists and trail users about trail etiquette. In order to maintain a safe experience for everyone, cyclists—whether using an e-bike or a regular bike—must respect the experiences of pedestrians, other cyclists and other trail users by using safe speeds and signaling when passing. In short, it is user behavior, not the technology of an e-bike, that determines the trail experience. <sup>5</sup>

Broadening of the micromobility market could expand the constituency for trails and other bicycle facilities. RTC supports e-bike use on trails, to the extent that those e-bikes fall into classes deemed appropriate for trail use following the legislative guidelines. RTC's perspective is that e-bikes ensure that biking is as inclusive as possible, especially in the context of aging adults and the needs of people living with disabilities. Scooters, hoverboards and powered skateboards are increasingly popular and appear to be drawing a younger, more diverse demographic, which could help to increase trail use and diversify trail users. The distance profile for scooters (1–2 miles) is shorter than bikes (2–4 miles), and many scooter users are not bicyclists.

Nevertheless, we are in a transition period; mobility providers, local governments, trail managers and the public are all learning how micromobility devices fit into communities. Currently, there's a lack of infrastructure designed with the suite of new devices in mind. Most people currently assume that they may use these devices anywhere, but that is not sustainable given safety concerns. Infrastructure that can accommodate new users without endangering or inconveniencing existing users will be of increased value, in turn encouraging greater investment in creating and maintaining these resources.

Initial introduction of new technologies can be chaotic. Responses appropriate to local context need to be devised for basic questions such as where to operate, how to behave and where to park such devices. The trails community—users and managers alike, policy makers and the public—together will need to learn and adjust expectations over time as pilot studies, research and overall experience advances. <sup>6</sup>

## BMTS CENTRAL STAFF POSITION

BMTS Central Staff is in general agreement with the RTC findings and positions. Permitting e-bike use on the trails comprising the Two Rivers Greenway, except for those that currently prohibit bicycles, will be most inclusive for cyclists of all ages and abilities. Allowing the use of other micromobility devices will need to be determined on a case-by-case basis for each trail with safety among all users being the

main criteria. Regulating the speed of all wheeled devices is also important, recognizing that speed is not an issue exclusive to e-bikes. Educating the public regarding trail use rules and etiquette is essential. Enforcement is also critical for trail use regulations to be effective. Regular evaluation of trail use regulations will be valuable to assess their effectiveness and to determine necessary adjustments.

Each municipality with jurisdiction of multi-use trails, needs to create clear trail use regulations to provide a safe and enjoyable experience for all trail users.

## EXISTING TRAIL REGULATIONS ON THE TWO RIVERS GREENWAY

### **Broome County**

Otsiningo Park Trails *(Updated December 2021 and will be on the Otsiningo Park website soon.)*

1. Combustion engine powered bikes are prohibited on trails.
2. Use of Class 1 & 2 E-bikes are permitted on trails.
3. Riders must abide by the speed limit signs posted along the trail at all times.
  - a. Riders must ride at a safe speed (15 MPH Speed Limit). Slow down and form a single file in congested conditions, reduced visibility, and other hazardous conditions.
4. Trail users must practice proper trail etiquette.
  - a. Be courteous to all trail users and yield to pedestrians.
  - b. Give audible warning when passing pedestrians or other bicyclists.
    - i. Keep right and pass left
  - c. Riders are responsible for the safe operation of the vehicle under City, Park, County, and State Codes.

### **City of Binghamton**

The Department of Parks & Recreation informed BMTS that Binghamton does not have formal regulations for using its trails. However, the following link provides an interactive map of City park facilities: <https://www.binghamton-ny.gov/government/departments/parks-recreation/city-parks-pools-fields>. When clicking on the River Trail, the following trail use rules are listed:

- Dogs must be on a leash
- Please pick up after your pet
- No motorized vehicles

Any formal trail use regulations that are created would need City Council approval and be enforced by the Binghamton Police Department.

### **Town of Vestal**

Vestal Rail-Trail

[https://www.vestalny.com/departments/parks/rail\\_trail.php](https://www.vestalny.com/departments/parks/rail_trail.php)

The Rail Trail hosts a multitude of user groups engaged in a wide range of activities.

**The following are helpful tips to keep your visit safe and enjoyable:**

#### **Walkers and Runners**

- Keep to the Right
- Pass to the Left
- Keep children close and to the right
- Do not block the full width of the trail
- Dogs on four-foot leash


- Clean up after your pet
- Earphones may impair hearing which may be unsafe

#### Wheel Traffic

- Keep speed below 10 MPH Speed Limit
- Ride to the right
- Pass on the left
- Audible signals are helpful: Ring a bell or, Verbalize (Pass)
- Single file
- No pets with bikes, or scooters or rollerblades
- Keep speed at a Safe Pace! Children are Unpredictable!


**SMILE - Say Hi - We are all neighbors!**

Also see [https://www.vestalny.com/document\\_center/park/Map\\_of\\_Rail\\_Trail.pdf](https://www.vestalny.com/document_center/park/Map_of_Rail_Trail.pdf)



RAIL TRAIL VESTAL

RAIL TRAIL    EASY TRAIL    WEST TRAIL    RULES    DOG RULES



## TRAIL RULES

**The following are helpful tips to keep your visit safe and enjoyable:**

**Hours:**  
The trail is open half an hour before sunrise and half an hour after sunset.

**Permitted:**  
Walking, jogging, biking, skateboarding, roller blading, cross country skiing, use of skateboards, strollers, and wagons.

**Prohibited:**  
Alcohol, loitering, littering; this is a "Carry in - Carry Out" recreational area.

**Walkers and Runners:**

- Keep to the Right
- Pass on the Left
- Keep children close and to the Right
- Do not block the Full Width of the trail
- Dogs on four foot leash
- Clean up after your pet
- Earphones may obstruct hearing

**Wheel Traffic:**

- Ride to the right
- Pass on the Left
- Audible signals are helpful:  
Ex: Ring a bell, Verbalize ("Pass")
- Single File
- Dogs must be under control of a person who is walking. Said person shall not be on a bicycle, roller blades or similar device.
- Keep speed Below 10 MPH

#### Village of Endicott

Chugnut Trail/Riverwalk

<https://www.endicottny.com/parks>

- Signed as pedestrians only; No bicycles, motorized vehicles, skateboards, rollerblades, rollerskates.
- No trail use rules are available online.

#### Village of Owego

Owego Riverwalk

- Signed as skateboards and bicycles prohibited.
- No trail use rules available online.

## Village of Port Dickinson

Community Park

<https://www.portdickinsonny.us/about/community-park/>

The Chief of Police and Village Trustee informed BMTS there are currently no formal trail-use regulations, but they do have signs suggesting that bikers and walkers go the opposite direction on the trails. There are no restrictions on the use of bicycles, and the Police Department has been following the State's definition of what is considered legal.

## EXISTING TRAIL REGULATIONS ON OTHER TRAIL SYSTEMS

### **Cayuga Waterfront Trail – Ithaca, NY**

<https://www.friendsofstewartpark.org/cwt-visit/#rules>

The Cayuga Waterfront Trail is used by pedestrians, cyclists, roller bladers, dog walkers, and people with disabilities. As you use the trail, please be courteous to other trail users.

Please Remember:

- Stay right except when passing.
- Signal audibly before passing on the left.
- Dismount bikes where indicated.
- Bicyclists and skaters yield to pedestrians. Please maintain a speed that promotes the safety and comfort of pedestrians (below 10 MPH).
- Electric-assist wheelchairs, recreational bicycles, scooters, and skateboards are allowed on the trail but should maintain a speed that promotes the safety and comfort of pedestrians (below 10 MPH). Other motorized vehicles are prohibited from using the trail.
- Dogs are welcome on short leash. Please clean up your dog's waste. Mutt Mitts are provided at dog care stations in Stewart Park and Cass Park.



Please help us keep the trail clean, and contact [info@friendsofstewartpark.org](mailto:info@friendsofstewartpark.org) about any trail maintenance problems.



## PROPOSED MULTI-USE TRAIL REGULATIONS & MICROMOBILITY DEVICE POLICY GUIDELINES

Based on the information gleaned for this Study, BMTS proposes the following multi-use trail user regulation guidelines, including e-bike and micromobility device use policies. Their purpose is to serve as a guide for each municipality to form their own customized regulations, while also having a degree of uniformity, which is important so trail users can generally know what to expect when using trails that are part of the Two Rivers Greenway, but under different jurisdictions.

### **PROPOSED MULTI-USE TRAIL REGULATION GUIDELINES:**

- Combustion engine powered bikes and other wheeled devices are prohibited.
- Motorized wheelchairs are permitted.
- Class 1 & Class 2 E-bikes are permitted.
- Permit the use of other micromobility devices as they are determined to be safe for use among all trail users when trail etiquette rules are followed.
- Speed Limit of 10 - 15 MPH for ALL bicycles and wheeled devices.
- ALL trail users must practice trail etiquette rules.
  - Riders must abide by the posted speed limit along the trail at all times.
    - Riders must ride at a safe speed according to trail conditions. Slow down and form a single file in congested conditions, reduced visibility, and other hazardous conditions.
  - Practice courtesy among all trail users.
  - Wheeled devices yield to pedestrians.
  - Keep right and pass left
  - Give audible warning when passing pedestrians or other trail users.

## IMPLEMENTATION ELEMENTS

The key to successful implementation of trail use regulations is for them to be clearly conveyed to trail users. This can be achieved through education and outreach methods such as, but not limited to, those listed below.

- **EDUCATION & OUTREACH METHODS:**
  - Signage of speed limit and trail etiquette rules.
  - Provide public information using multiple mediums such as printed brochures, websites, social media, news & media coverage
  - Engage with community partners and events such as the Southern Tier Bicycle Club, Binghamton Fresh Cycles, area bike shops, and the Binghamton Bridge Pedal to educate members and the public.

Regulations will not be effective if they are not enforced, and compliance is encouraged by monitoring trail user behavior and providing corrective instruction when necessary. Below are some methods of enforcing trail use regulations.

- **ENFORCEMENT & COMPLIANCE METHODS:**
  - Police or security bike-patrols.
  - Trail user enforcement with friends of the trail or trail ambassador programs.
  - Solar powered speed indicators

- A painted centerline (yellow) may help with trail users staying to the right.
  - See [MUTCD Section 9C.03](#) Marking Patterns and Colors on Shared-Use Paths.
- Geofencing with e-bike and e-scooter share programs.

Evaluating trail-use regulations periodically is important to measure their effectiveness and make changes as necessary. Below are some items that can be useful for the evaluation process.

- EVALUATION METHODS
  - Evaluate effectiveness of regulations annually or more frequently as needed.
    - Observed compliance
    - Number of security/enforcement “actions”
    - Trail user crashes
    - Trail user survey

#### E-BIKE POLICY PILOT PROGRAMS

Descriptions of several e-bike policy pilot programs are available on the Rails-to-Trails Conservancy website at <https://www.railstotrails.org/build-trails/trail-building-toolbox/management-and-maintenance/e-bikes/>.

One pilot program that stood out as a possibility to be emulated by local municipalities was done in Seattle, Washington.

## Seattle, Washington

Below is a summary of the Multi-use Trail Pilot that the Seattle Department of Parks & Recreation used to regulate e-bikes on its trails.



### Overview



Seattle Parks and Recreation (SPR) is implementing a phased policy change on how we manage multi-use trails under our jurisdiction. The first phase will include a pilot project that institutes a 15-mph speed limit, allows Class 1 and Class 2 electric-assisted bicycles, and conducts an education and outreach campaign on trail use and etiquette. The pilot project will take place on five multi-use trails (Burke-Gilman Trail, Elliott Bay Trail, Mountains to Sound Trail, Melrose Connector Trail, and Duwamish Trail) starting August 1, 2018 and lasting for one year.

### Background



Previously, Seattle's multi-use trails had no speed limit and inconsistent regulations across multiple jurisdictions. SPR also receives many comments related to conflicts of use on these trails. Recently, a new state law classified e-bikes and now allows some of them on multi-use trails, where not otherwise prohibited. The goal of this policy change is to create a safe, clear, and consistent experience for all users on these shared use paths.



#### Speed Limit



For the first time, the pilot will place a 15-mile per hour speed limit for all users on the five multi-use trails included. This aligns with existing speed limits on King County's regional trails and other trail owners in the region. At all times, people should continue to travel at speeds that are safe for the conditions of the trail.

#### E-Bikes



Electric-assisted bicycles were recently classified by Washington State and permitted on multi-use trails unless prohibited by local laws. The pilot allows Class 1 and Class 2 e-bikes (which stop assisting riders at 20 mph). All rules and apply to these bikes, including the speed limit. No other form of motorized vehicles is permitted as part of this pilot, except ADA-compliant mobility devices, which are currently allowed.

#### Education



The pilot includes signs describing proper trail rules and etiquette, and an outreach and engagement campaign with the Seattle Department of Transportation and community partners. Surveys and observations will be conducted to gather user data and perceptions throughout the pilot.



[Seattle.gov/parks/multiusetrail](http://Seattle.gov/parks/multiusetrail)

Submit comments and questions to:

Seattle Parks and Recreation  
100 Dexter Ave N, Seattle, WA 98109

206-684-4075

[PKS\\_info@seattle.gov](mailto:PKS_info@seattle.gov)

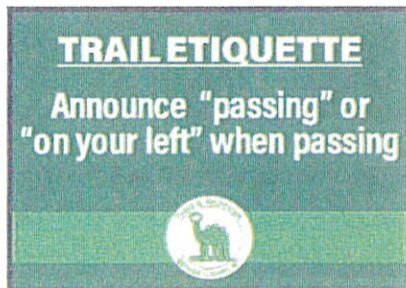
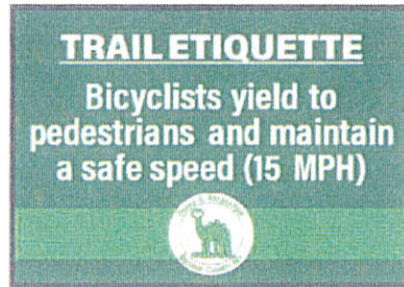
### Broome County – Otsiningo Park

The Broome County Department of Parks & Recreation is working with BMTS to establish trail use regulations that emulate Seattle’s Pilot Program.

As noted earlier in this report, during December of 2021, Broome County Parks & Recreation updated the Administrative Guidelines for Otsiningo Park with the Trails Use Policy as follows:

1. Combustion engine powered bikes are prohibited on trails.
2. Use of Class 1 and Class 2 E-bikes are permitted on trails.
3. Riders must abide by the speed limit signs posted along the trail at all times.
  - a. Riders must ride at a safe speed (15 MPH Speed Limit). Slow down and form a single file in congested conditions, reduced visibility, and other hazardous conditions.
4. Trail users must practice proper trail etiquette.
  - a. Be courteous to all trail users and yield to pedestrians.
  - b. Give audible warning when passing pedestrians or other bicyclists.
    - i. Keep right and pass left
  - c. Riders are responsible for the safe operation of the vehicle under City, Park, County, and State Codes.

Lawn signs (see below) have been placed along the trails so users will clearly see the trail etiquette rules.



Enforcement will be undertaken by Broome County Security. A survey is in development to be administered to trail users during the Spring/Summer of 2022, as well as a second time several months later. It will be used to evaluate effectiveness of the public's education about the trail use regulations and compliance to the regulations.

BMTS will continue to work with Broome County Parks to implement and evaluate the new trail regulations.

#### **Other Municipalities with Trails Comprising the Two Rivers Greenway**

As stated earlier in this Study, due to the way the New York State E-bike & E-Scooter legislation is written, each municipality with jurisdiction of multi-use trails needs to create clear trail use regulations to enable e-bikes, e-scooters, and other micromobility devices to be used on their trails while providing a safe and enjoyable experience for all trail users.

The proposed multi-use trail regulations serve as a guide for municipalities to establish uniform rules for trail use with flexibility to customize them as needed. Additionally, through regular evaluation, municipalities will be able to learn which methods of regulation, public education, and enforcement are most effective, and guide adjustments that may be necessary.

BMTS Central Staff will be available to assist municipalities in the development and implementation of their multi-use trail regulations.

## CITATIONS & BIBLIOGRAPHY

1. NYSAMPO Fact Sheet: E-Bikes -  
[https://www.nysmpos.org/\\_files/ugd/3ff9d0\\_77d3443af153490bada5b04c60118b7e.pdf](https://www.nysmpos.org/_files/ugd/3ff9d0_77d3443af153490bada5b04c60118b7e.pdf)
2. New York State E-Bike/E-Scooter Legislation (Pg. 74) -  
<https://legislation.nysenate.gov/pdf/bills/2019/S7508B>
3. Farther, Faster and No Sweat: Bike-Sharing and the E-Bike Boom | PressNewsAgency -  
<https://pressnewsagency.org/farther-faster-and-no-sweat-bike-sharing-and-the-e-bike-boom/>
4. BMTS Monthly Pedestrian & Bicycle Reports - <https://bmtsonline.com/data/bikeped-counts>
5. Rails to Trails Conservancy: E-Bikes on the Trail -  
[https://www.railstotrails.org/resourcehandler.ashx?name=e-bikes-on-the-trail&id=11762&fileName=RTC\\_EBikePolicy\\_10.25.17.pdf](https://www.railstotrails.org/resourcehandler.ashx?name=e-bikes-on-the-trail&id=11762&fileName=RTC_EBikePolicy_10.25.17.pdf)
6. Rails to Trails Conservancy: Micromobility Devices on Multiuse Trails -  
[https://www.railstotrails.org/resourcehandler.ashx?name=micromobility-devices-on-multiuse-trails&id=21184&fileName=RTC%20Micromobility\\_Footnotes\\_9.6.19%20.pdf](https://www.railstotrails.org/resourcehandler.ashx?name=micromobility-devices-on-multiuse-trails&id=21184&fileName=RTC%20Micromobility_Footnotes_9.6.19%20.pdf)



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

Date: April 20, 2022

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

Introduced by Committee: Planning

**RESOLUTION**

*entitled*

**A RESOLUTION TO CORRECT THE 2022 TAX  
ROLLS FOR 62 THE CIRCUIT STREET**

WHEREAS, an application to correct tax rolls has been duly filed with or by the Assessor of the City of Binghamton; and

WHEREAS, pursuant to Real Property Tax Law § 554, the Assessor of the City of Binghamton has determined that certain errors exist that should be corrected as set forth in Exhibit A attached hereto.

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

RESOLVE that pursuant to Real Property Tax Law § 554, the Council of the City of Binghamton, as the tax levying body for the City of Binghamton, hereby authorizes the Mayor to execute any and all documents necessary or proper to correct certain errors in the tax levy and tax rolls as set forth in Exhibit A, attached hereto, and for the Assessor of the City of Binghamton to make such corrections and provide the corrected tax roll to the Broome County Director of Real Property Tax Services.



# Application for Corrected Tax Roll

# RP-554

(12/19)

### Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners Phillip D Schaeffer		
Mailing address of owners (number and street or PO box) 1931 Coleman Rd		Location of property (street address) 62 The Circuit St
City, village, or post office Binghamton	State NY	ZIP code 13903
City, town, or village	State	ZIP code
Daytime contact number	Evening contact number	Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 161.69-1-13
Account number (as appears on tax bill) 00000604540		Amount of taxes currently billed 1553.95
Reasons for requesting a correction to tax roll: Erroneous water/sewer re-levy - need to remove from tax bill.		

I hereby request a correction of tax levied by City of Binghamton for the year(s) 2022.  
(County, city, village, etc.)

Signature of applicant <i>Susan M Pugh</i>	Date 02/14/22
-----------------------------------------------	------------------

### Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received <u>2-14-22</u>	Period of warrant for collection of taxes <u>1-1-22</u>
Last day for collection of taxes without interest	Recommendation Approve application <input checked="" type="checkbox"/> Deny application <input type="checkbox"/>
Signature of official <i>Susan M Pugh</i>	Date <u>2-14-22</u>

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of \_\_\_\_\_ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

### Part 3 – For use by the tax levying body or official designated by resolution \_\_\_\_\_ : (insert number or date, if applicable)

Application approved (mark an X in the applicable box):

Clerical error  Error in essential fact  Unlawful Entry

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): \_\_\_\_\_

Signature of chief executive officer, or official designated by resolution	Date
----------------------------------------------------------------------------	------





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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE CITY OF  
BINGHAMTON TO ACCEPT A DONATION  
FROM THE JANE JOHNSON WASSON TRUST  
FOR THE ROSS PARK CAROUSEL  
RENOVATION

WHEREAS, the Jane Johnson Wasson Trust wishes to donate \$2,493.32 for the Ross Park Carousel Renovation; and

WHEREAS, the City of Binghamton wishes to accept the donation.

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

RESOLVE that the City of Binghamton is hereby authorized to accept \$2,493.32 from the Jane Johnson Wasson Trust for the Ross Park Carousel Renovation, and funds will be deposited into budget line TC.688.T007 (Other Liabilities-Rec Park Carousel).



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

**A RESOLUTION AMENDING PERMANENT  
RESOLUTION 21-90 TO INCREASE THE  
LOCAL MATCH AMOUNT**

WHEREAS, pursuant to Permanent Resolution 21-90, dated November 3, 2021, the City of Binghamton accepted \$330,000 from the Environmental Facilities Corporation Green Infrastructure Grant Program to be used for the Deco District Green Infrastructure Project; and

WHEREAS, the local match of \$33,000 to be paid from the Department of State (DOS) Urban Revitalization Initiative (URI) C1001415 Downtown Entertainment & Cultural Organizations (DECO) District Grant needs to be amended to reflect an increase based on the projected project costs; and

WHEREAS, the local match should be amended to \$39,160, an increase of \$6,160.

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

RESOLVE that Permanent Resolution 21-90 is hereby amended to reflect an increase of the local match for the DECO District Project, from \$33,000 to \$39,160, an increase of \$6,160; and that funds shall be deducted from the Department of State (DOS) Urban Revitalization Initiative (URI) C1001415 Downtown Entertainment & Cultural Organizations (DECO) District Grant for this purpose.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: PW/Parks

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
ENVIRONMENTAL DESIGN & RESEARCH,  
DPC FOR THE ROSS PARK CAROUSEL  
RESTORATION AND RELOCATION PROJECT

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with Environmental Design & Research, DPC for the Ross Park Carousel Restoration and Relocation Project; and

WHEREAS, the amount is not to exceed \$33,000.

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 an agreement, approved as to form and content by the Office of Corporation Counsel, with Environmental Design & Research, DPC for the Ross Park Carousel Restoration and Relocation Project, at a cost not to exceed \$33,000; and that funds shall be deducted from budget line H7110.555555.PK010 (Ross Park Carousel Rel/Reno Grant) for this purpose.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO SUPPLEMENTAL  
AMENDMENT NO. 3 WITH BARTON &  
LOGUIDICE, DPC FOR ANY ADDITIONAL  
REVIEW, ENGINEERING, TESTING AND  
MANAGEMENT AT RECREATION PARK

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 20-29, dated April 7, 2020, with Barton & Loguidice, DPC for Recreation Park tennis court upgrades and a permanent location for an ice rink; Permanent Resolution 21-81, dated October 6, 2021, approved Supplemental Agreement No. 1 with Barton & Loguidice, DPC for additional construction administration and construction observation services for Rec Park upgrades; and Permanent Resolution 22-13, dated February 23, 2022, approved Supplemental Agreement No. 2 with Barton & Loguidice, DPC for additional construction administration and construction observation services for additional time to investigate and test persistent wetness and then remove and replace the tennis court asphalt at the Recreation Park tennis courts; and

WHEREAS, the City Engineer recommends the City enter into Supplemental Amendment No. 3 with Barton & Loguidice, DPC for any additional review, engineering, testing and management of removal and replacement of the tennis court surface, at a cost not to exceed \$31,400, for which the City will seek reimbursement from the contractor.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into Supplemental Amendment No. 3, approved as to form and content by the Office of Corporation Counsel, with Barton & Loguidice for any additional review, engineering, testing and management of removal and replacement of the tennis court surface, at a cost not to exceed \$31,400; and that funds shall be deducted from budget line H7110.525277.12220 (Rec.Park Tennis Courts) for this purpose.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH NEW  
YORK STATE ENVIRONMENTAL FACILITIES  
CORPORATION FOR THE FIRST WARD  
INFLOW AND INFILTRATION STUDY

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with New York State Environmental Facilities Corporation (NYSEFC) for the First Ward Inflow and Infiltration Study under the Engineering Planning Grant (EPG); and

WHEREAS, the City of Binghamton has received an Engineering Planning Grant in the amount of \$50,000 for completing an investigation of its sanitary sewer collection system; and

WHEREAS, said grant, awarded and administered by NYSEFC, will require the City to provide a local match of no less than 20% of the awarded grant.

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 an agreement, approved as to form and content by the Office of Corporation Counsel, with NYSEFC for the First Ward Inflow and Infiltration Study under the EPG; and be it further

RESOLVE that the City of Binghamton authorizes and appropriates a minimum of 20% local match as required by the EPG totaling \$10,000; and that funds shall be deducted from budget line A1440.54420 (Tech. Services) for this purpose.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
BARTON & LOGUIDICE, DPC FOR THE FIRST  
WARD INFLOW AND INFILTRATION STUDY

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with Barton & Loguidice, DPC for professional services for the Preliminary Engineering Report (PER) for the First Ward Inflow and Infiltration Study; and

WHEREAS, the amount is not to exceed \$60,000.

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

RESOLVE that the Council of the City of Binghamton hereby approves the above-subject Project; and be it further

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with Barton & Loguidice, DPC for professional services and the Preliminary Engineering Report (PER) for the First Ward Inflow and Infiltration Study, at a cost not to exceed \$60,000; and that \$10,000 shall be deducted from budget line A1440.54420 (Tech. Services) and \$50,000 shall be deducted from budget line H1440.555555.XXXX (Engineering Planning Grant) for this purpose.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
ATLANTIC TESTING LABORATORIES,  
LIMITED FOR AN ASBESTOS PROJECT  
MONITORING AGREEMENT

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with Atlantic Testing Laboratories, Limited for an asbestos project monitoring agreement for the 2022 blight demolitions; and

WHEREAS, the amount is not to exceed \$28,400.

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 an agreement, approved as to form and content by the Office of Corporation Counsel, with Atlantic Testing Laboratories, Limited for an asbestos project monitoring agreement for the 2022 blight demolitions, at a cost not to exceed \$28,400; and that funds shall be deducted from budget line CD8666.533508.CDY47 (Community Development Demolitions) for this purpose.

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

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



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

Date: April 20, 2022

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH J.S.  
MILLER APPRAISAL ASSOCIATES, LLC FOR  
APPRAISAL OF 12 COMMERCIAL  
PROPERTIES

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with J.S. Miller Appraisal Associates, LLC for appraisal of 12 commercial properties; and

WHEREAS, the amount is not to exceed \$40,900.

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 an agreement, approved as to form and content by the Office of Corporation Counsel, with J.S. Miller Appraisal Associates, LLC for appraisal of 12 commercial properties, at a cost not to exceed \$40,900; and that funds shall be deducted from budget line H8684.533508.X0003 (Court St. FEMA Demo) for this purpose.

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

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





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

Date: April 20, 2022

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING THE SALE OF  
19 FRANKLIN STREET TO ELWIN W. WARNER**

WHEREAS, the City of Binghamton is the owner of certain real property located at 19 Franklin Street, Binghamton, New York, Tax Parcel No. 144.73-1-27 (the “Premises”); and

WHEREAS, the City received an Offer to Purchase the Premises from Elwin W. Warner (the “Applicant”) for \$400 to use the Premises for green space; and

WHEREAS, the City has no public use for the Premises; and

WHEREAS, the Assessor of the City of Binghamton has determined the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on April 6, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain by at least a three-fourths vote as follows:

Section 1. That the Mayor of the City of Binghamton is hereby authorized to enter into a contract of sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer the Premises to Elwin W. Warner, by Quitclaim Deed for \$400 to be paid by cash, certified, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the Premises may only be used as green space and (ii) the Premises must be merged with the Applicant’s adjacent property located at 17 Franklin Street, Binghamton, New York, Tax Parcel No. 144.73-1-28.

Section 3. That this Ordinance shall take effect immediately.

**State Environmental Quality Review**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Non-Significance**

**Project Number:** None

**Date:** April 20, 2022

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton City Council as lead agency has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Sale of 19 Franklin Street, Binghamton, New York.

**SEQR Status:**       Type 1         
                          Unlisted     

**Conditioned Negative Declaration:**       Yes       
                                                          No       

**Description of Action:**

The City of Binghamton is transferring 19 Franklin Street, Binghamton, New York, Tax Parcel No. 144.73-1-27, to Elwin W. Warner.

**Location:** 19 Franklin Street, Binghamton, New York.

**Reasons Supporting This Determination:**

The lead agency has determined that the action will not have a significant adverse impact on the environment for the following reasons:

This is a vacant lot in a residential area. The Purchaser owns the adjoining property at 17 Franklin Street, Binghamton, New York, Tax Parcel No. 144.73-1-28. The proposed use is green space. The transfer will preserve green space and provide for future maintenance. This transfer is made as part of the City's Side-Lot program.

The action will not produce a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The action will not involve the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant or the habitat of such a species; or other significant adverse impacts to natural resources.

The action will not cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14 (g).

The action will not create a material conflict with a community's current plans or goals as officially approved or adopted.

The action will not impair the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The action will not cause a major change in the use of either the quantity or type of energy.

The action will not create a hazard to human health.

The action will not cause a substantial change in the use or intensity of use of land including agriculture, open space or recreation resources, or in its capacity to support existing uses.

The action will not change two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together results in a substantial adverse impact on the environment.

Impacts from the action may combine with impacts of other, possible independent actions in the vicinity. The lead agency finds that when considered cumulatively such combination will not create a significant adverse impact on the environment.

### **For Further Information**

Contact Person: Philip Strawn, President  
City of Binghamton City Council

Address: City Hall  
38 Hawley Street  
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)

State Environmental Quality Review Act

**Read the title of the Legislation for 19 Franklin Street before a vote, do the following:**

**A. Motion to declare City Council as “Lead Agency” under SEQRA.**

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Voice vote**

**B. Motion to identify the proposed action as “Unlisted” under SEQRA.**

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Voice vote**

**C. Motion to issue a negative declaration under SEQRA for the following reasons:**

This is a vacant lot in a residential area. The Purchaser owns the adjoining property at 17 Franklin Street. The proposed use is green space. The transfer will preserve green space and provide for future maintenance. This transfer is made as part of the City’s Side-Lot program.

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Roll call vote**

**After SEQRA: Approve the legislation, roll call vote.**