



**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.

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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.

Introductory No. 022-77

Permanent No. 022-77

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

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ORDINANCE 020-039 REGARDING THE SALE OF
A PORTION OF ELIZABETH STREET AND FOR
THE SALE OF 168 OAK STREET TO FRONT
STREET RESIDENCES LLC

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

4/20/22

Date 4/20/22
City Clerk [Signature]

4/21/22

Date Presented to Mayor 4/21/22

Date Approved [Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Councilman Scaringi				✓
Councilwoman Resciniti				✓
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Scanlon	✓			
Councilman Strawn	✓			
Total	5	0	0	2

Code of the City of Binghamton

Adopted Defeated
5 Ayes 0 Nays 0 Abstain 2 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 4/20/22. Approved by the Mayor on 4/21/22. [Signature]