



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Phil Strawn, City Council President

Leighton Rogers, City Clerk

CITY COUNCIL WORK SESSION AGENDA

City Hall, 38 Hawley St, Binghamton

6pm Monday, May 16, 2022

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

Time	Committee	Chair	RL/Topic	Pages	Presenter
6:00pm	-----	-----	Discussion: CDAC	1-2	MaryAnne Callahan/Steve Carson
6:15pm	Finance	Scaringi	RL22-143: Adjust 2022 BJCJSTP budget accounts for CN Event Professional Services & Equipment Lease	3	Charlie Pearsall
6:20pm	Planning	Scanlon	RL22-142: Create an income expenditure line for Cities Rise Sustainable Neighborhood Stabilization Program	4-8	Juliet Berling
6:25pm	Planning	Scanlon	RL22-145: Amend Section 18-38 and 18-84 of the City Code regarding demolition of accessory structures	9-10	Sean McGee
6:30pm	Planning	Scanlon	RL22-148: Amend the Professional Services agreement with CPL for additional Design Services for Riverfront Amenities Project	11-13	Tito Martinez
6:35pm	Finance	Scaringi	RL22-138: Amend the 2022 Parks budget RL22-139: Amend the 2022 Fee schedule to remove swimming pool fees at Rec Park	14-15	Pat McGinnis
6:40pm	Finance	Scaringi	*RL22-141: Amend the 2022 Insurance Fund to increase revenue and create an expense line for demolition of 156 Conklin Ave *RL22-144: Amend the 2022 Finance budget to adjust the Staff Accountant and Payroll Specialist salary	16-21	Chuck Shager
6:45pm	Finance	Scaringi	RL22-146: Amend the 2022 budget to use ARPA funds to support gun violence reduction programs	22	Megan Heiman
6:50pm	Planning	Scanlon	RL22-147: Authorizing the sale of vacant lots to Greater Opportunities of Broome and Chenango to support the North Side Rehabilitation affordable housing project RL22-149: Amend Permanent Ordinance 22-03 to add a reverter clause for the sale of 20-22 Lisle to YWCA	23-28a	Megan Heiman



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6:55pm	MPA	Scaringi	RL22-140: Local Law to amend Chapter 315 of the City Code for property and building nuisance reform	29-31	Brian Seachrist
7:00pm	-----	-----	Pending Legislation: <i>*Found on the website calendar with the prior Work Session documents.</i> RL22-133: Setting Fees at Ely Park RL22-134: Authorizing Park Outdoor to install a digital billboard at 159.5 Griswold St RL22-135: Accepting a US DOT award to be used at Ross Park	---	Leighton Rogers

COMMITTEE REPORTS

**Please Expedite for Next Business Meeting*

City of Binghamton CDAC FY48 HUD Entitlement Budget Recommendation

Project	Grant	Project Category	Amount	Consolidated Plan Goal
Administration	CDBG	Admin & Planning	\$156,442.16	n/a
Fair Housing Education	CDBG	Admin & Planning	\$5,000.00	Increase and Retain Quality Housing
Planning	CDBG	Admin & Planning	\$25,231.54	n/a
Demolition and Blight Removal	CDBG	Blight	\$90,000.00	Reduce Slums and Blight
Code Enforcement	CDBG	Code Enforcement	\$253,182.94	Reduce Slums and Blight
Binghamton Local Development Corporation	CDBG	Economic Development	\$245,283.36	Promote Economic Growth
First Ward Action Council Senior Housing Repair Program	CDBG	Housing	\$85,000.00	Increase and Retain Quality Housing
Housing Admin	CDBG	Housing	\$54,028.89	Increase and Retain Quality Housing
Metro Interfaith Binghamton Homeownership Academy	CDBG	Housing	\$20,000.00	Increase and Retain Quality Housing
Discovery Center Story Garden Amphitheater Rehab	CDBG	Public Facility	\$18,666.00	Improve Public Facilities
Morgan Road Runoff Upgrade	CDBG	Public Facility	\$50,000.00	Improve Infrastructure
Parks: Alfred St. Park Playground Surface	CDBG	Public Facility	\$8,635.00	Increase Accessibility
Parks: Boland Park Playground Surface	CDBG	Public Facility	\$40,000.00	Increase Accessibility
Parks: Cheri Lindsey Playground Surface	CDBG	Public Facility	\$22,000.00	Increase Accessibility
Parks: Columbus Park Playground Surface	CDBG	Public Facility	\$55,262.11	Increase Accessibility
Parks: First Ward Park Playground Surface	CDBG	Public Facility	\$50,831.00	Increase Accessibility
Parks: Phelps Park Playground Surface	CDBG	Public Facility	\$38,500.00	Increase Accessibility
Parks: Sunflower Park Playground Surface	CDBG	Public Facility	\$38,610.00	Increase Accessibility
Parks: Valley St Park Playground Surface	CDBG	Public Facility	\$38,500.00	Increase Accessibility
Parks: Walnut Street Park Playground & Lighting Upgrades	CDBG	Public Facility	\$58,610.00	Improve Public Facilities
Parks: Webster St Park Playground Surface	CDBG	Public Facility	\$27,000.00	Increase Accessibility
Roberson Museum: Energy Efficiency Upgrades	CDBG	Public Facility	\$12,000.00	Improve Public Facilities
Street Mill & Pave: Bayless (Park to Rexford)	CDBG	Public Facility	\$43,404.00	Improve Infrastructure
Street Mill & Pave: Cross (Park to Morris)	CDBG	Public Facility	\$19,751.00	Improve Infrastructure
Street Mill & Pave: Gerard (Front to end)	CDBG	Public Facility	\$70,215.00	Improve Infrastructure
Street Mill & Pave: Green (Westview to Chenango)	CDBG	Public Facility	\$15,751.00	Improve Infrastructure
Street Mill & Pave: Lockwood (Westview to Chenango)	CDBG	Public Facility	\$21,171.00	Improve Infrastructure
Street Mill & Pave: Morgan St (Chenango to State)	CDBG	Public Facility	\$34,414.00	Improve Infrastructure
Street Mill & Pave: Park Terrace (Park to end)	CDBG	Public Facility	\$46,959.00	Improve Infrastructure
TriCities Opera: ADA Upgrades	CDBG	Public Facility	\$17,500.00	Increase Accessibility
*unknown mental health response provider	CDBG	Service	\$25,000.00	Increase Health & Safety
ACHIEVE Summer Program	CDBG	Service	\$8,000.00	Provide Needed Services
Action for Older Persons Health Insurance Counseling	CDBG	Service	\$15,000.00	Increase Health & Safety
American Civic Association Case Manager	CDBG	Service	\$10,000.00	Provide Needed Services
Binghamton Adult Education Out of School Youth Program	CDBG	Service	\$12,000.00	Provide Needed Services
Binghamton Housing Authority Summer and Afterschool	CDBG	Service	\$12,000.00	Provide Needed Services
Boys & Girls Club Membership Fees	CDBG	Service	\$19,975.00	Provide Needed Services
Boys & Girls Club Teen Center	CDBG	Service	\$20,000.00	Provide Needed Services
Boys & Girls Club Youth After Hours Program	CDBG	Service	\$50,000.00	Provide Needed Services
Broome County Urban League ATTAIN Center	CDBG	Service	\$8,000.00	Provide Needed Services
Broome County Urban League Summer and Afterschool	CDBG	Service	\$15,000.00	Provide Needed Services
CARES Backpack Program	CDBG	Service	\$5,000.00	Provide Needed Services
City of Binghamton Park Ranger Program	CDBG	Service	\$10,000.00	Increase Health & Safety
City of Binghamton Community Policing (police overtime)	CDBG	Service	\$10,000.00	Increase Health & Safety
Fairview Recovery Services Opioid Addiction Program	CDBG	Service	\$45,000.00	Increase Health & Safety

Mothers and Babies Perinatal Network PAL Center	CDBG	Service	\$17,700.00	Provide Needed Services
VINES Youth Employment Program	CDBG	Service	\$10,000.00	Provide Needed Services
		Total CDBG	\$1,954,623.00	

Project	Grant	Project Category	Amount	Consolidated Plan Goal
Housing Admin	HOME	Housing	\$53,421.80	Increase and Retain Quality Housing
Rehab Projects	HOME	Housing	\$240,398.10	Increase and Retain Quality Housing
*unknown Community Housing Development Project	HOME	Housing	\$240,398.10	Increase and Retain Quality Housing
		Total HOME	\$534,218.00	

Project	Grant	Project Category	Amount	Consolidated Plan Goal
YWCA of Binghamton Women's Shelter	ESG	Homeless	\$37,625.56	Reduce Homelessness
Catholic Charities Teen Transitional Living Program	ESG	Homeless	\$27,898.64	Reduce Homelessness
YWCA of Binghamton Women's Shelter	ESG	Homeless	\$11,700.00	Reduce Homelessness
Volunteers of America Men's Shelter	ESG	Homeless	\$5,200.00	Reduce Homelessness
Outreach Ministries Showers of Hope	ESG	Homeless	\$19,760.00	Reduce Homelessness
Family Enrichment Network Homeless Prevention Program	ESG	Homeless	\$50,872.80	Reduce Homelessness
TruthPharm Rapid Rehousing	ESG	Homeless	\$10,000.00	Reduce Homelessness
Salvation Army Homeless Prevention	ESG	Homeless	\$5,250.00	Reduce Homelessness
		Total ESG	\$165,307.00	



Legislative Branch

RL Number:
22-143
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: Charles Pearsall

Title/Department: Business Manager - BJCWWTP

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

RL Information

Proposed Title: Adjust 2022 Budget Accounts for CN Event Professional Services and Equipment lease

Suggested Content: The Joint Sewage Board asks the City Council to increase the Insurance Recovery Revenue-CNBAF(J.42680.CNBAF) line by an additional \$400,000 and increase appropriations for Professional Services-CNBAF (J8130.54410.CNBAF) by \$350,000 and also Equipment Lease-CNBAF (J8130.54520.CNBAF) by \$50,000. This R/L does not need to be expedited.

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



Legislative Branch

RL Number:
22-142

Date Submitted:
4/28/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Juliet Berling

Title/Department: Director PHCD

Contact Information: jumberling@cityofbinghamton.com

RL Information

Proposed Title: A Resolution Authorizing the Comptroller to create an income expenditure line for Cities Rise Sustainable Neighborhood Stabilization Program.

Cities Rise Sustainable Neighborhood Stabilization Program income

Suggested Content: Program income expenditure line needed to support the Neighborhood Stabilization Program projects. Income received is from sale of repaired city owned properties.

Account #: Income Expense TBD Expense's revenue line to be created

~~expense~~

Additional Information

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

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R20-03

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



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

Date: February 5th, 2020

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ACCEPT A GRANT FROM ENTERPRISE
COMMUNITY PARTNERS IN THE AMOUNT OF
\$585,000 FOR THE CITIES RISE INNOVATION
PROGRAM

WHEREAS, the City of Binghamton is eligible to receive a grant from Enterprise Community Partners in the amount of \$585,000 for Cities RISE innovation program; and

WHEREAS, the grant does not require a local match, that the grant will be administered by the Mayor, or his designee, and that it is an ongoing grant with no specific date of completion.

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 execute any and all documents, approved as to form and content by the Office of Corporation Counsel, with Enterprise Community Partners to accept a grant in the amount of \$585,000 for Cities RISE innovation program; and be it further

RESOLVED that the grant does not require a local match, that the grant will be administered by the Mayor, or his designee, and that it is an ongoing grant with no specific date of completion.

Introductory No. R20-03

Permanent No. R20-05

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

A RESOLUTION AUTHORIZING THE MAYOR
TO ACCEPT A GRANT FROM ENTERPRISE
COMMUNITY PARTNERS IN THE AMOUNT OF
\$585,000 FOR CITIES RISE INNOVATION
PROGRAM

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

Date 2/15/2020

City Clerk Christina G. Spina

Date Presented to Mayor

Date Approved 2/16/2020

Mayor [Signature]

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

Code of the City of Binghamton

Adopted

Defeated

7 Ayes

0 Nays

0 Abstain

0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 2/15/2020. Approved by the Mayor on 2/16/2020. [Signature]

Closing Disclosure

Closing Information

Date Issued 4/8/2022
Closing Date 4/11/2022
Disbursement Date 4/11/2022
Settlement Agent Capital Closing Company LLC
File # SYR2110102044
Property 7 Harrison Street
 Binghamton, NY 13905
Sale Price \$53,000

Transaction Information

Borrower Roger T Howe
 10 Livingston st rr2
 Binghamton, NY 13903
Seller City of Binghamton
 38 Hawley treet
 Binghamton, NY 13901

Summaries of Transactions

SELLER'S TRANSACTION

Due to Seller at Closing \$53,000.00

01 Sale Price of Property \$53,000.00

02 Sale Price of Any Personal Property Included in Sale

03

04

05

06

07

08

Adjustments for Items Paid by Seller in Advance

09 City/Town Taxes to

10 County Taxes to

11 Assessments to

12

13

14

15

16

Due from Seller at Closing

01 Excess Deposit

02 Closing Costs Paid at Closing (J)

03 Existing Loan(s) Assumed or Taken Subject to

04 Payoff of First Mortgage Loan

05 Payoff of Second Mortgage Loan

06

07

08 Seller Credit

09

10

11

12

13

Adjustments for Items Unpaid by Seller

14 City/Town Taxes to

15 County Taxes to

16 Assessments to

17

18

19

CALCULATION

Total Due to Seller at Closing \$53,000.00

Total Due from Seller at Closing \$0.00

Cash From To Seller \$53,000.00

Contact Information

REAL ESTATE BROKER (B)

Name FSBO

Address

NY License ID

Contact FSBO

Contact NY License ID

Email

Phone

REAL ESTATE BROKER (S)

Name FSBO

Address

NY License ID

Contact FSBO

Contact NY License ID

Email

Phone

SETTLEMENT AGENT

Name Capital Closing Company LLC

Address 621 Columbia Street Ext
Cohoes, NY 12047

NY License ID

Contact Danielle Smith

Contact NY License ID

Email dsmith@capitalclosing.com

Phone 518-783-1005

Questions? If you have questions about the loan terms or costs on this form, use the contact information above. To get more information or make a complaint, contact the Consumer Financial Protection Bureau at www.consumerfinance.gov/mortgage-closing



Closing Cost Details

Loan Costs	Seller-Paid	
	At Closing	Before Closing
A. Origination Charges		
01 0.5 % of Loan Amount (Points)		
02 Commitment Fee		
03		
04		
05		
06		
07		
08		
B. Services Borrower Did Not Shop For		
01 Appraisal Fee	to Ryder Appraisals	
02 Appraisal Inspection Fee	to Ryder Appraisals	
03 Mortgage Insurance Premium	to Housing & Urban Development	
04 Title - Lender's Title Insurance	to Coughlin and Gerhart	
05 Title - Settlement Fee		
06		
07		
08		
09		
10		
C. Services Borrower Did Shop For		
01		
02		
03		
04		
05		
06		
07		
08		
Other Costs		
E. Taxes and Other Government Fees		
01 Recording Fees	Deed: \$65.00 Mortgage: \$105.00	
02 City/County Tax/Stamps	to Broome County Clk	
03 State Tax/Stamps	to Broome County Clk	
F. Prepays		
01 Homeowner's Insurance Premium (12 mo.)	to Liberty Mutual	
02 Mortgage Insurance Premium (mo.)		
03 Prepaid Interest (\$4.43 per day from 4/11/22 to 5/1/22)		
04 Property Taxes (mo.)		
05		
G. Initial Escrow Payment at Closing		
01 Homeowner's Insurance	\$58.67 per month for 3 mo.	
02 Mortgage Insurance	per month for mo.	
03 Property Taxes	\$216.16 per month for 6 mo.	
04 School Tax	\$210.67 per month for 10 mo.	
05		
06		
07		
08 Aggregate Adjustment		
H. Other		
01 Abstract	to A To Z Abstract	
02 Borrower - Attorney Fee	to Coughlin & Gerhart	
03 Escrow Holdback	to SEFCU Mortgage Services	
04 Grant Recording Fee	to Greater Opportunities for Broome and Chenango	
05		
06		
07		
J. TOTAL CLOSING COSTS		



8



Legislative Branch

RL Number:
22-145
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Sean P. McGee

Title/Department: Historic Preservation & Neighborhood Planner

Contact Information: spmcgee@cityofbinghamton.com

RL Information

Proposed Title: ~~Procedure for A Determination of Historical Significance for Demolition for~~

~~Unsafe Accessory Structures.~~ An Ordinance to amend §§ 18-38 and 18-84 of the Code of Ordinances
Regarding the Demolition of Accessory Structures

Suggested Content: Please see attached.

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): § 18-84.1.3 & 18-38

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

**§ 18-84.1.F. Procedure for Determination of Historical Significance for Demolition
[Amended 4-21-10 by Ord. No. 19-2010]**

Proposed Title: Determination of Historical Significance for Demolition of Unsafe Accessory Structures.

Suggested Content: If the Supervisor of Building Construction & Code Enforcement has issued a determination letter that an accessory structure is unsafe, then the Historic Preservation & Neighborhood Planner may perform a staff level review Determination of Historical Significance Review. No demolition permit shall be issued for such a structure until a negative Determination of Historic Significance has been issued by the Historic Preservation & Neighborhood Planner. The Determination of Significance required by this act shall be in addition to and not in lieu of any demolition permit that may be required by another ordinance of the City of Binghamton. The Historic Preservation & Neighborhood Planner shall issue a Determination of Historical Significance within forty-five (45) days of receipt of the completed application, unless an extension of this deadline is agreed upon by both the Historic Preservation & Neighborhood Planner and the applicant. If it is determined by the Historic Preservation & Neighborhood Planner that the demolition of the unsafe accessory structure is likely to have a significant impact upon the historic character of the property, the Historic Preservation and Neighborhood Planner shall be authorized to forward the application to the Commission for full review at the next available meeting. Staff level determinations of historical significance for the demolition of unsafe accessory structures shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The decision shall state the reasons for positive or negative Determination of Historical Significance.

§ 18-38 Definitions. [Amended 12-4-2019 by Ord No. 19-125].

ACCESSORY STRUCTURE: Whenever the term "Accessory structure" is used in this article it shall be defined as follows:

- (1) "Accessory structure" means a subordinate structure located on the lot, the use of which is clearly incidental to and associated with the principal structure.
- (2) Where an accessory structure is attached to the principal structure in a substantial manner, as by a roof, such accessory structure shall normally be considered as a part of the principal structure.
- (3) Examples of accessory structures are barns, garages, carports, playhouses, sheds, private greenhouses, gazebos, storage buildings, boathouses and docks, wind-generating devices, swimming pool pumphouses, radio- and television-receiving antenna towers and dishes and, storage containers.



Legislative Branch

RL Number:
22-148
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Tito Martinez

Title/Department: Planning Department

Contact Information: tlmartinez@cityofbinghamton.com

RL Information

Proposed Title: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH CPL ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECT & SURVEYOR, D.P.C FOR ADDITIONAL DESIGN SERVICES FOR RIVERFRONT

~~Suggested Content:~~ AMENITIES PROJECT, NOT TO EXCEED \$10,000.

TO BE DEDUCTED FROM H8510.555555.C0041 (DASNY RIVERFRONT)

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R20-11

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

[Signature]

April 22, 2022

Tito Martinez, Assistant Director
City of Binghamton
Dept. of Planning, Housing and Community Development
38 Hawley Street
Binghamton, NY 13901

**Re: Riverfront Revitalization Project
Proposal for Additional Engineering Services
Supplemental Agreement 2 – USDA-RD Responses**

Dear Mr. Martinez:

CPL is pleased to submit this proposal for additional professional services for the Riverfront Revitalization project, as a follow-up to our recent communications.

Project Understanding

CPL is currently under contract with the City of Binghamton (City) for the following services related to the Riverfront Revitalization Project:

- Topographic Survey, Design, and Bidding services as outlined in our proposal dated February 2, 2020, which was authorized by the City on March 11, 2020. Construction Administration services were also included in that proposal, but not authorized by the City at that time.
- Mussel Surveys and limited Construction Administration services as outlined in our Additional Engineering Services proposal dated September 22, 2020.

CPL submitted completed bid documents to the City on April 16, 2021 in fulfillment of the Design phase scope of our contract, following multiple progress submissions and reviews with the City. Subsequently, USDA-Rural Development (RD) became involved in the project due to grant funding obtained by the City. RD issued a “Preliminary Review of Drawings & Specifications” 65% review letter which requires responses from CPL, and RD has indicated that there will be a second 95% review, for them to approve the project. CPL’s currently contracted scope does not include the efforts required to address RD’s comments and comply with RD requirements. Therefore, we propose the additional services outlined below.

Scope of Services

I. USDA-RD Responses

- A. Provide responses to RD review comments and revise project documents as needed to comply with RD requirements.



Excluded Services

The following items have been excluded from our proposal, but can be provided upon request as additional services:

- Compliance with additional requirements which RD may impose during Bidding or Construction Phase. If there are unused fees remaining under this proposal following completion of RD Responses, and RD does impose additional requirements during Bidding and/or Construction Phase, we will utilize the remaining fees under this proposal and request additional fees as necessary.

Compensation

We propose to complete the above scope of services on an hourly basis at our standard hourly rates for the following estimated not to exceed fee. We will not exceed this fee without your prior approval.

USDA-RD Responses	\$10,000	Not to Exceed
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CPL will include these additional services in our monthly invoicing for the project.

If this proposal is acceptable, and you wish to proceed, please provide an authorized signature in the designated space below and return one copy.

We greatly appreciate the opportunity to submit our proposal and look forward to continuing to assist the City with this important project. If you have any questions or wish to discuss our proposal in greater detail, please contact me at (607) 304-9968.

Very truly yours,

CPL

David A. Chase, P.E., LEED AP
Principal Associate

Proposal Accepted By:

Signature: _____ Date: _____



Legislative Branch

RL Number: 22-138
Date Submitted: 5/11/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Pat McGinnis

Title/Department: Parks & Recreation

Contact Information: 607-772-7017

RL Information

Proposed Title: An ordinance to amend the 2022 parks budget

Suggested Content: Adjust budget line A7110.51800 Temporary Services

Decrease laborers at \$12.50 by \$10,000.00

Add laborers at \$15.00 for \$10,000.00

Total budget line remains at \$75,000.00

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



Legislative Branch

RL Number:
22-139
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: Pat McGinnis

Title/Department: Parks & Recreation

Contact Information: 607-772-7017

RL Information

Proposed Title: AN ordinance to amend the 2022 fee schedule to remove swimming pool

fee's at Recreation Park, Southside Veterans Memorial Pool and North Side Veterans Memorial Pool

Suggested Content: TBD by Corp Council

Additional Information

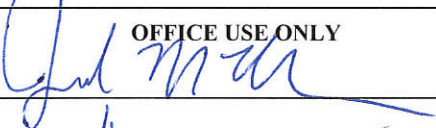

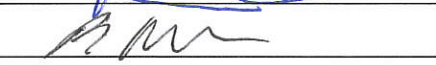
Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



* Please Expedite *

Legislative Branch

RL Number:
22-141
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: CHUCK SHAGER

Title/Department: COMPTROLLER/FINANCE

Contact Information: 607-772-7011

RL Information

Proposed Title: An ordinance to amend the 2022 Insurance Fund budget to increase

Revenue and create an Expense line for insurance recovery and demolition on 156 Conklin Ave.

Suggested Content: ordinance to increase M.42680 (Insurance Recovery) by \$ 106,580.00 and create
account M1910.54470 (DEMOLITION) and increase by \$ 106,580.00

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



Gorick Construction Co., Inc.
27 Track Drive, Binghamton, NY 13904
P: 607.775.1765
F: 607.775.1608

March 7, 2022

City of Binghamton
38 Hawley St
Binghamton, NY 13901
607.772.7007
Jared Kraham

Re: 159 Conklin Ave Demolition

Scope of work:

- o Emergency Demolition of structure-----\$9,500.00
- o Load and Haul debris to BCLF-----\$44,300.00
- o Landfill tipping fees 806 tons-----\$48,360.00
- o NYSDOL Notification fee-----\$4,000.00

Total:-----\$106,160.00

Basement was left intact, strongly recommend permanent fence to prevent possibly fall hazard. Or backfilling basement with general fill to match existing grades.

Andrew Tifft
Demolition Project Manager

GORICK CONSTRUCTION CO., INC.

27 TRACK DRIVE
 BINGHAMTON, NEW YORK 13904

PHONE
 (607) 775-1765

FAX
 (607) 775-1608

INVOICE

INVOICE DATE 03-11-2022	CUSTOMER NO 13550	INVOICE NUMBER 22478
P. O. NUMBER	JOB NUMBER 22-004	

TO
 CITY OF BINGHAMTON
 DEPARTMENT OF PURCHASING
 38 HAWLEY STREET
 BINGHAMTON, NY 13901

JOB LOCATION:
 COB 159 CONKLIN AVE

ATTN:

DESCRIPTION	UNITS	UNIT PRICE	AMOUNT
DEMO COMPLETED AS REQUESTED	LS		106,160.00
		AMOUNT BILLED	\$106,160.00
		TOTAL EXEMPT TAX	
		TOTAL DUE	\$106,160.00

TERMS: NET 1 1/2% INTEREST AFTER 30 DAYS, 18% PER ANNUM.

Griffiths Engineering, LLC

13 South Washington Street
Binghamton, NY 13903

March 01, 2022

Ms. Billie Goodson
City Hall
38 Hawley Street
Binghamton, NY 13901

159 Conklin Avenue Building

Dear Ms. Billie Goodson

Enclosed is invoice #17207, which covers services from 2/1/2022 to 2/28/2022. This invoice, dated 3/1/2022, is for \$420.00.

Billing Summary

Total for Services Rendered:	\$420.00
Total Expenses:	\$0.00
Total Due	\$420.00

Sincerely,
Griffiths Engineering, LLC

Tracy Holgash
Administrative Assistant



3

Purchase Order

Fiscal Year 2022

Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **22001011-00**

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CITY OF BINGHAMTON
DEPARTMENT OF PURCHASE
38 HAWLEY ST - 2nd FLOOR
BINGHAMTON NY 13901-3769

V
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GRIFFITHS ENGINEERING, LLC
13 S. WASHINGTON ST, STE #1
BINGHAMTON NY 13903

S
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CITY OF BINGHAMTON
38 HAWLEY ST
BINGHAMTON NY 13901

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference	
				22101124		ENGINEERING	
Date Ordered	Vendor Number	Date Required	Freight Method/Terms			Department/Location	
03/14/2022	1757					ENGINEERING	
Item#	Description/Part No.			Qty	UOM	Unit Price	Extended Price
1	GRIFFITH ENGINEERING FOR 159 The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading 159 CONKLIN AVENUE INVOICE NO 17207 A1440 - 54410 (Professional Services - Engineering)			1.0	EACH	\$420.000	\$420.00
Inw # 17207 AUDITED DATE 5/2/22				APPROVED FOR PAYMENT SENT TO COMPTROLLER APR 29 2022 Bgo PURCHASING DEPARTMENT ok to pay \$420.00			

Date Received _____
 Inspected by Ronald B. Lake
 Department Head Signature

RECEIVING COPY

PO Total **\$420.00**

20



Proposed

Legislative Branch

RL Number:

22-144

Date Submitted:

5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: CHUCK SHAGER

Title/Department: COMPTROLLER/FINANCE

Contact Information: 607-772-7011

RL Information

Proposed Title: An ordinance to amend the 2022 Finance budget to adjust the Staff Accountant salary and the Finance Payroll Specialist salary and increase travel and training

Suggested Content: ordinance to decrease A1310.51000 Personal Service-(Staff Accountant) by \$2,800 and Increase A1310.51000 Personal Services (Finance Payroll Specialist) by \$2,005, and increase A1310.54701 (Travel & Training) by \$795.00 . effective 5/23/22

Additional Information

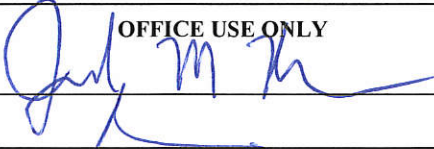


Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



Legislative Branch

RL Number:
22-146
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: Megan J. Heiman

Title/Department: Office of the Mayor

Contact Information: 607-772-7001

RL Information

Proposed Title: An Ordinance to amend the 2022 Budget for use of American Recovery Plan

Act funds to support gun violence reduction programs through the Southern Tier Crime Analysis Center.

Suggested Content: Increase: A9950.59000.F0015 (Interfund Transfer - ARPA), \$1,000,000

Increase: A44089.F0015 (Federal Aid - ARPA), \$1,000,000

Increase: H.45031.F0015 (Interfund Transfer - ARPA), \$1,000,000

Increase: H.3120.XXXXX.F0015 — \$1,000,000 (ARPA Gun Violence)

Additional Information

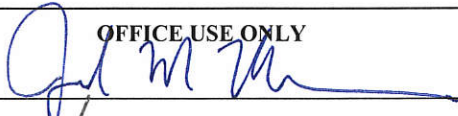


Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



Legislative Branch

RL Number:
22-147
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: Megan J. Heiman
Title/Department: Mayor's Office
Contact Information: mjheiman@cityofbinghamton.com

RL Information

Proposed Title: A resolution authorizing the sale of the following vacant lots to Greater Opportunities of Broome and Chenango Inc. for \$1 each to support the North Side Rehabilitation affordable housing project: 26 Lyon St., 28 Lyon St., 29 Munsell St., 31 Munsell St., 33 Munsell St.

Suggested Content: _____

Additional Information

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

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

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



OFFICE OF THE MAYOR - CITY OF BINGHAMTON

OFFER TO PURCHASE

Please complete the below application, and submit this document to the Mayor's Office for consideration. Please note that if such sale is approved, the Applicant will be liable for all filing fees associated with the transfer of this property.

PROPERTY INFORMATION

Street Address of Property: 26 Lyons Street

Tax Parcel Identification Number: 144.83-1-17

Current Use of Property: [] Residential [] Commercial [] Mixed Use [X] Vacant Lot

Offered Purchase Price: \$1.00

Do you wish to opt-out of the free tree planting service? [X] Yes [] No

Please describe the intended use of the property. The inclusion of a map or illustration depicting the intended use of the property will expedite the review process.

Greater Opportunities is purchasing 28 Lyons St as part of the parking lot for the renovation of 39-49 Munsell Street and would like 26 Lyons Street as part of this parking lot and green space

APPLICANT INFORMATION

Applicant Name: Greater Opportunities for Broome and Chenango, Inc. Note: Please provide the full legal name of the applicant. If the applicant is a company or corporation, please list all shareholders or members.

Mailing Address: 44 West Main St. Norwich, NY 13815

Telephone Number(s): (607) 723-6493

Email Address: kroberson@greatrops.org

Please list any other properties owned by the Applicant located within Broome County.

39-49 Munsell Street, 4 Sturges Ave, 22 Moffat Ave, 22 Way St, 5 West State Street, 92-94 Carroll St, 88 Carroll St, 86 Carroll St, 120 Walnut, 542 St. Street, 46 + 48 Griswold, 50 E. Clapham Rd, 105, 109 + 111 and 41 Carroll Street Susquehanna St.

I hereby certify that the above information is a true account of my intended purchase and use of City-owned property. I understand that upon approval of any such sale, any deviance from the agreed-upon terms and conditions may result in the termination of such agreement through legal proceedings.

Signature [Handwritten Signature]

Date 03/08/2022



OFFICE OF THE MAYOR • CITY OF BINGHAMTON

OFFER TO PURCHASE

Please complete the below application, and submit this document to the Mayor's Office for consideration. Please note that if such sale is approved, the Applicant will be liable for all filing fees associated with the transfer of this property.

PROPERTY INFORMATION

Street Address of Property: 29, 31, 33 Munsell Street

Tax Parcel Identification Number: 144.83-1-26 / 144.83-1-25 / 144.83-1-24

Current Use of Property: [] Residential [] Commercial [] Mixed Use [x] Vacant Lot

Offered Purchase Price: \$1.00 per property

Do you wish to opt-out of the free tree planting service? [x] Yes [] No

Please describe the intended use of the property. The inclusion of a map or illustration depicting the intended use of the property will expedite the review process.

Greater Opportunities is renovating 39-49 Munsell Street and would like the other parcels on Munsell for part of our parking lot (exit/entrance) and green space.

APPLICANT INFORMATION

Applicant Name: Greater Opportunities for Broome and Chenango, Inc. Note: Please provide the full legal name of the applicant. If the applicant is a company or corporation, please list all shareholders or members.

Mailing Address: 44 West Main St. Norwich, NY 13855

Telephone Number(s): (607) 723-6493

Email Address: kroberson@greaterops.org

Please list any other properties owned by the Applicant located within Broome County.

39-49 Munsell Street, 4 Sturges Ave, 22 Moffatt Ave, 22 Way Street, 5 West State Street, 92-94 Carroll Street, 88 Carroll Street, 86 Carroll Street, 120 Walnut, 542 State Street, 46+48 Griswold, 50 East Clapham Rd., 106, 109, +111 Susquehanna St, and 41 Carroll Street

I hereby certify that the above information is a true account of my intended purchase and use of City-owned property. I understand that upon approval of any such sale, any deviance from the agreed-upon terms and conditions may result in the termination of such agreement through legal proceedings.

Signature [Handwritten Signature]

Date 01/08/2022



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

Date: September 22, 2021

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

Introduced by Committee: Planning

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
28 LYON STREET TO GREATER
OPPORTUNITIES FOR BROOME FOR \$1**

WHEREAS, the City of Binghamton is the owner of certain real property located at 28 Lyon Street, Binghamton, New York, Tax Parcel No. 144.83-1-18 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from Greater Opportunities for Broome Inc. (the "Applicant"), for \$1 for use of the Premises as a parking lot for the newly renovated affordable housing development units at its adjacent property at 39-49 Munsell Street, Binghamton, New York; 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 September 22, 2021.

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 Greater Opportunities for Broome Inc., by Quitclaim Deed for \$1 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 a parking lot for housing located at 39-49 Munsell Street and (ii) the Premises must be merged with the Applicant's adjacent property located at 39-49 Munsell Street, Binghamton, New York, Tax Parcel No. 144.83-1-22.

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 021-100

Permanent No. 021-98

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

AN ORDINANCE AUTHORIZING THE SALE OF
28 LYON STREET TO GREATER
OPPORTUNITIES FOR BROOME FOR \$1

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

Date 9/22/21

City Clerk Jamie Farber

Date Presented to Mayor 9/23/21

Date Approved 9/28/21
Mayor [Signature]

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

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 9/22/21. Approved by the Mayor on 9/28/21. JF

State Environmental Quality Review Act

Read the title of the Legislation for 28 Lyons Street, before a vote, do the following:

The Planning Commission previously issued a negative declaration under SEQRA and approved the proposed development for 28 Lyons Street. Therefore no further action under SEQRA is necessary.



Legislative Branch

RL Number: 22-149
Date Submitted: 5/13/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: Megan J. Heiman

Title/Department: Mayor's Office

Contact Information: mjheiman@cityofbinghamton.com

RL Information

Proposed Title: A resolution authorizing the sale of 20-22 Lisle Ave. to the YWCA of Binghamton and Broome County with a right of reverter

Suggested Content: Amending permanent ordinance 22-03 to add a reverter clause

Additional Information

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

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

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



Legislative Branch

RL Number:
22-140
Date Submitted:
5/11/22

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

REQUEST FOR LEGISLATION

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

Applicant Information

Request submitted by: Brian Seachrist

Title/Department: Corporation Counsel

Contact Information: 607-772-7013

RL Information

Proposed Title: A LOCAL LAW TO AMEND CHAPTER 315 OF THE BINGHAMTON

CITY CODE, ENTITLED PROPERTY AND BUILDING NUISANCE REFORM

Suggested Content: Attached.

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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

A LOCAL LAW TO AMEND CHAPTER 315 OF THE BINGHAMTON CITY CODE,
ENTITLED PROPERTY AND BUILDING NUISANCE REFORM

Section 1. Amendment to the Definition of “Conviction” in § 315-3

The definition of “Conviction” in § 315-3, *Definitions*, of the Binghamton City Code, shall hereby be amended by inserting the following after the current paragraph:

“Notwithstanding the foregoing, under no circumstances shall a conviction or a plea of guilty constitute a violation under this chapter, where said conviction or plea stemmed from a crime or City Code violation committed at the building, property or place in issue, where such crime or violation was first reported by an owner or tenant of the property, place, building or, in the case of a multi-unit building, the specific building unit where the crime occurred. Nor shall a conviction or a plea of guilty constitute a violation under this chapter where said conviction or plea stemmed from a violation, crime, or mental health emergency that occurred at the building unit, building, property or place in issue, which was first reported by the victim thereof, including, but not limited to, victims of domestic violence and/or stalking, or mental health emergencies.”

Section 2. Amendment to the Definition of “Public Nuisance” in § 315-3

The definition of “Public Nuisance” in § 315-3, *Definitions*, of the Binghamton City Code, shall hereby be amended by inserting the following after the current paragraph:

“Notwithstanding any contrary provisions of this chapter, under no circumstances shall points accumulate toward a Public Nuisance determination where violations are discovered during the course of an investigation by law enforcement or code enforcement personnel in response to a request for assistance by an owner or tenant of the property, place, building or, in the case of a multi-unit building, the specific building unit where the violation occurred. Nor shall points accumulate toward a Public Nuisance determination where violations are discovered during the course of such an investigation in connection with a report of a violation, crime, or mental health emergency that occurred at the building unit, building, property or place in issue, which was first reported by the victim thereof, including, but not limited to, victims of domestic violence and/or stalking, or mental health emergencies. Notwithstanding the above, an owner, manager, or tenant who participates in or persistently condones or allows such Public Nuisance to occur shall not be entitled to the protection of this paragraph.”

Section 3. Amendment to the Definition of “Violation” in § 315-3

The definition of “Violation” in § 315-3, *Definitions*, of the Binghamton City Code, shall hereby be amended by inserting the following after the current paragraph:

“Notwithstanding the foregoing, evidence obtained during the course of responding to a request for assistance made by an owner or tenant of the at issue property, place, building or, in the case of a multi-unit building, the specific building unit where the violation occurred, shall not constitute evidence of prohibited conduct under this chapter. Notwithstanding the above, an owner, manager, or tenant who participates in or persistently condones or allows such Public Nuisance to occur shall not be entitled to the protection of this paragraph.”

Section 4. Addition of a Severability Clause

The following severability clause shall be added to Chapter 315 of the Binghamton City Code:

“The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or part of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.”

Section 5. Striking of § 315-14 in its Entirety

Article III, § 315-14, *Powers of Mayor with respect to public nuisances*, shall be deleted in its entirety. This provision provides for “administrative review” as opposed to review by a court, such administrative review has been held to be unconstitutional. The remaining Sections in Chapter 315 shall be renumbered accordingly, including any references thereto.