



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: June 8, 2022

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

AN ORDINANCE TO NULLIFY PERM. ORD 21-98 AND AUTHORIZING THE SALE OF 26 AND 28 LYON ST., 29, 31, AND 33 MUNSELL ST. TO GREATER OPPORTUNITIES FOR BROOME AND CHENANGO, INC. FOR \$1 EACH TO SUPPORT THE NORTH SIDE REHABILITATION AFFORDABLE HOUSING PROJECT

WHEREAS, the City of Binghamton is the owner of certain real property located at 26 Lyon Street, Binghamton, New York, Tax Parcel No. 144.83-1-17; 28 Lyon Street, Binghamton, New York, Tax Parcel No. 144.83-1-18; 29 Munsell Street, Binghamton, New York, Tax Parcel No. 144.83-1-26; 31 Munsell Street, Binghamton, New York, Tax Parcel No. 144.83-1-25; and 33 Munsell Street, Binghamton, New York, Tax Parcel No. 144.83-1-24 (collectively the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from Greater Opportunities for Broome and Chenango, Inc. (the "Applicant"), for \$1 each to use the Premises for accessory parking and open space for the North Side Rehabilitation Affordable Housing Project located at 39 Munsell Street (a/k/a 39-49 Munsell Street); and

WHEREAS, pursuant to Permanent Ordinance 21-98, dated September 22, 2021, the City previously approved a sale of 28 Lyon Street only to the Applicant subject to a merger provision; and

WHEREAS, the City wishes to nullify Permanent Ordinance 21-98 to eliminate the merger condition and to place consistent restrictions on the Premises; 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 June 8, 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:



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

Date: June 8, 2022

Section 1. That Permanent Ordinance 21-98, dated September 22, 2021, is hereby declared null and void.

Section 2. 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 and Chenango, Inc., by Quitclaim Deed for \$1 each to be paid by cash, certified, or local bank check.

Section 3. This sale is subject to the following conditions (i) the Premises may only be used for accessory parking and open space to support the North Side Rehabilitation Affordable Housing Project located at 39 Munsell Street (a/k/a 39-49 Munsell Street) as approved by the City of Binghamton Planning Commission and (ii) the Premises may not be used for any other purpose unless approved by the Mayor, City Council, and the City of Binghamton Planning Commission.

Section 4. That this Ordinance shall take effect immediately.

Introductory No. 022-94

Permanent No. 022-94

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

AN ORDINANCE TO NULLIFY PERM. ORD 21-98  
AND AUTHORIZING THE SALE 26 AND 28 LYON  
ST., 29, 31, AND 33 MUNSELL ST. TO GREATER  
OPPORTUNITIES FOR BROOME AND  
CHENANGO, INC. FOR \$1 EACH TO SUPPORT  
THE NORTH SIDE REHABILITATION  
AFFORDABLE HOUSING PROJECT

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

6/8/22

Date

[Signature]  
City Clerk

6/9/22

Date Presented to Mayor

6/9/22

Date Approved

[Signature]  
Mayor

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

Code of the City of Binghamton

Adopted  Defeated

6 Ayes 0 Nays 0 Abstain 1 Absent

I hereby certify the above to be a true  
copy of the legislation adopted by the  
Council of the City of Binghamton at a  
meeting held on 6/8/22. Approved  
by the Mayor on 6/9/22

[Signature]

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

**Project Number:** None

**Date:** June 8, 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 29 Munsell Street, Binghamton, New York.

**SEQR Status:**       Type 1         
                          Unlisted     

**Conditioned Negative Declaration:**       Yes       
  No       

**Description of Action:**

The City of Binghamton is transferring 29 Munsell Street, Binghamton, New York, Tax Parcel No. 144.83-1-26, to Greater Opportunities for Broome and Chenango, Inc.

**Location:** 29 Munsell 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 is the developer of the North Side Rehabilitation Affordable Housing Project (the "Project") located at 39 Munsell Street (a/k/a 39-49 Munsell Street). This transfer includes a sale of other adjacent property to the Project at 26 Lyon Street, 28 Lyon Street, 31 Munsell Street, and 33 Munsell Street. All of these lots, including 29 Munsell Street, provide parking or open space for the Project. The other properties were included in a site plan review and negative declaration under SEQRA by the City of Binghamton Planning Commission. While 29 Munsell Street was not part of that review, this sale limits use of 29 Munsell Street to open space in support of the Project, unless otherwise approved by the Mayor, City Council, and the Planning Commission.

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)

