



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

Date: August 3, 2022

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

Introduced by Committee: Planning

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
49 LYDIA STREET TO DAVID TOMASKO AND
SHERRY M. TOMASKO FOR \$500**

WHEREAS, the City of Binghamton is the owner of certain real property located at 49 Lydia Street, Binghamton, New York, Tax Parcel No. 144.79-4-3 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from David Tomasko and Sherry M. Tomasko (the "Applicant") for \$500 as part of the City's side lot program; 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 August 3, 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 David Tomasko and Sherry M. Tomasko, by Quitclaim Deed for \$500 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 51 Lydia Street, Binghamton, New York, Tax Parcel No. 144.79-4-2.

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 022-112

Permanent No. 022-112

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

AN ORDINANCE AUTHORIZING THE SALE OF
49 LYDIA STREET TO DAVID TOMASKO AND
SHERRY M. TOMASKO FOR \$500

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

Date 8/3/22
Justin G. Negron
City Clerk

Date Presented to Mayor
8/4/22

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 8/3/22. Approved by the Mayor on 8/4/22 [Signature]

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

Project Number: None

Date: August 3, 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 49 Lydia Street, Binghamton, New York.

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The City of Binghamton is transferring 49 Lydia Street, Binghamton, New York, Tax Parcel No. 144.79-4-3 to David Tomasko and Sherry M. Tomasko.

Location: 49 Lydia 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 Purchasers own the adjoining property at 51 Lydia 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.

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)