



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 Tuesday, September 6, 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	Planning	Scanlon	RL22-204: Sale of 14 College St	1-2	Grace Doherty
6:05pm	Finance	Scaringi	RL22-207: Amend the 2022 General Fund for overtime	3	Ron Lake
6:10pm	Finance	Scaringi	RL22-205: Construction Manager at Mirabito Stadium	4-6	Bernice Griffith/Mike Dervay
6:15pm	Finance	Scaringi	RL22-206: Amend the 2022 DPW budget for equipment RL22-208: Amend the 2021 Refuse Fund for vehicle parts	7-8	Dan Maerkl
6:20pm	Finance	Scaringi	RL22-209: Amend the 2021 General Fund for legal costs	9-10	Brian Seachrist
6:25pm	MPA	Scaringi	*RL22-210: Allowing Nitro Circus to conduct a fireworks display at Mirabito Stadium	11-14	Leighton Rogers
6:30pm	-----	-----	Discussion: Cybersecurity		Lori Clift
6:35pm	-----	-----	Pending Legislation: <i>*Found on the website calendar with the prior Work Session documents.</i> RL22-199: Amend the 2022 Planning budget to de-fund part-time Clerk RL22-200: Accept a grant from Broome County Community Beautification & Environmental Stewardship Program RL22-201: Amend the 2022 DPW budget RL22-202: Amend the 2022 Water budget for increased chemical costs RL22-203: Amend the 2022 Fire budget for gas/fuel	---	Leighton Rogers

COMMITTEE REPORTS

**Please Expedite for Next Business Meeting*



Legislative Branch

RL Number:

22-204

Date Submitted:

8/30/22

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: Grace Doherty

Title/Department: Mayor's Office

Contact Information: 607-772-7001

RL Information

Proposed Title: _____

A Resolution Authorizing the Sale of 14 College St to James R. Cramer and Renee Cramer for \$500

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: [Signature]

Comptroller: _____

Corporation Counsel: [Signature]

Finance Planning MPA PW/Parks Employees Rules/Special Studies



RL
6/27/22

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: 14 College Street Binghamton, NY 13925

Tax Parcel Identification Number: _____

Current Use of Property: Residential Commercial Mixed Use Vacant Lot

Offered Purchase Price: \$500,000 +

Do you wish to *opt-out* of the free tree planting service? 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.

Use as Maintained Green Space.

APPLICANT INFORMATION

Applicant Name: James R. Cramer II & Renee Cramer
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: 16 College Street Binghamton, NY, 13925

Telephone Number(s): 607 372-0554

Email Address: jcramer@gmail.com

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

Parents own 16 College Street since 1971
Binghamton, NY
13925

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.

James R. Cramer II & Renee Cramer

6/27/2022

Signature

Date



Legislative Branch

RL Number:
22-207
Date Submitted:
8/31/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: RON LAKE
Title/Department: ENGINEERING
Contact Information: 607-772-7007

RL Information

Proposed Title: ordinance to amend the 2022 General Fund budget to fund increased overtime costs

Suggested Content: decrease A1440.54620 (EQUIPMENT REPAIRS & MAINT) by \$7,000.00 and decrease A1440.54420 (TECHNICAL SERVICES) by \$3,000.00 and Increase A1440.51900 (Overtime) by \$10,000.00

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:					
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:
22-205
Date Submitted:
8/30/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Bernice Griffith/ Michael Dervay

Title/Department: Purchasing Agent

Contact Information: _____

RL Information

Proposed Title: Construction Manager for PDL-2 at Mirabito Stadium

Suggested Content: Whereas Permanent Ordinance R22-16 for PDL-2 at Mirabito Stadium was for Project Management this would be for Phase 2 as Construction Manager at a cost not to exceed

\$38,000. Funds are available in H1310.525209.11921

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): R22-16

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	_____
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"/>

Peter M. Popovic
660 Voelker Avenue
Euclid, Ohio 44123

216.496.0644 (Cell)
email: pt660@msn.com

August 10, 2022

Michael J. Dervay, Purchasing Agent
Department of Purchasing
City of Binghamton
38 Hawley Street - 2nd Floor
Binghamton, NY 13901

Approved by Mike Dervay:

Re: **Memorandum of Understanding (MOU)**
Consulting Arrangement- Mirabito Stadium PDL Improvements
Owner's Representative and Construction Management Services
Phase 2 PDL Improvements Construction Phase

Signature

Dear Mike,

Here is a Memorandum of Understanding for your review and approval. This document may serve as formalization of a "Supplemental Agreement" for extension of services as we move forward with the intended projects that we are currently working on. As I had done previously, I will invoice at a rate of \$60.00 per hour for Owner's Representative and Construction Management Services, with full detail of time spent on various activities that will be described with each invoice. Reimbursable expenses will also be included on these invoices related to lodging, reproduction costs & blueprinting.

The activities that I will be involved in for this phase of services are described on the attached "Implementation Plan" that identifies the phases and timing for all facets of the construction phase of project. I have also included an allotted number of hours to be spent on the various activities. This "Order of Magnitude" study of potential involvement translates to an overall budget of approximately \$38K based on this breakdown.

Also attached is the Single Source Affidavit which we have been working with that I have completed with my own information. This may be appropriate as part of this package for further information.

Lastly, as you can see, the period described within the Implementation Plan is termed "Construction Phase" and includes the main construction period from September 2022 – March 2023.

Hopefully this meets with your approval. Thank you for the opportunity to be involved in these projects!

Very truly yours,



Peter M. Popovic

Attachments

MIRABITO STADIUM - PHASE 2 PDL IMPROVEMENTS - CONSTRUCTION PHASE													PART "A" - DETAIL			
CONSTRUCTION MANAGEMENT & OWNER'S REPRESENTATIVE IMPLEMENTATION PLAN - POTENTIAL FEES & EXPENSES PER PHASE & PROJECT (ORDER OF MAGNITUDE)													CONSTRUCTION MANAGEMENT & OWNER'S REPRESENTATIVE IMPLEMENTATION PLAN - POTENTIAL FEES & EXPENSES PER PHASE & PROJECT (ORDER OF MAGNITUDE)			
August 10, 2022													Prepared by: Peter M. Popovic			
ACTIVITY	Sep-22		Oct-22		Nov-22		Dec-22		Jan-23		Feb-23		Mar-23		Apr-23	
	1-15	16-30	1-15	16-31	1-15	16-30	1-15	16-31	1-15	16-31	1-15	16-28	1-15	16-31	1-15	16-30
Approximate Hours Estimated - Per Bi-Weekly Period Indicated																
Phase 2 PDL Improvements																
Project Startup	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contractor Coordination / Supervision	0	8	32	40	40	40	40	32	40	40	40	40	0	0	0	0
Ongoing City & Club Coordination	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8
Closeout & Punch List	0	0	0	0	0	0	0	0	0	0	0	0	0	16	12	8
Phase 2 Sub-Totals:	24	32	40	48	48	48	48	40	48	48	48	48	24	20	16	16
MIRABITO STADIUM - PHASE 2 PDL IMPROVEMENTS - CONSTRUCTION PHASE													PART "B" - SUMMARY			
CONSTRUCTION MANAGEMENT & OWNER'S REPRESENTATIVE IMPLEMENTATION PLAN - POTENTIAL FEES & EXPENSES PER PHASE & PROJECT													CONSTRUCTION MANAGEMENT & OWNER'S REPRESENTATIVE IMPLEMENTATION PLAN - POTENTIAL FEES & EXPENSES PER PHASE & PROJECT			
Phase 2 PDL Improvements													Phase 2 PDL Improvements			
Peter M. Popovic Fees & Expenses:													Peter M. Popovic Fees & Expenses:			
596 Hours													596 Hours			
\$60 Per Hour													\$60 Per Hour			
avg hrs/wk 17.2													avg hrs/wk 17.2			
TRAVEL REPRO 1 @ \$900													TRAVEL REPRO 1 @ \$900			
Expenses													Expenses			
\$35,760													\$35,760			
12 @ \$100													12 @ \$100			
\$1,200													\$1,200			
\$2,100													\$2,100			
Total Fees													Total Fees			
\$35,760													\$35,760			
Total Exp.													Total Exp.			
\$2,100													\$2,100			
Total Fees + Expenses:													Total Fees + Expenses:			
\$37,860													\$37,860			



Legislative Branch

RL Number: 22-206
Date Submitted: 8/31/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Dan Maerkl
Title/Department: DPW
Contact Information: 772-7021

RL Information

Proposed Title: Resolution to amend 2022 DPW Budgets

Suggested Content: see attachment

Transfer \$4000 from A5110.52600 Equipment to A1640.52600 Equipment

Transfer \$1000 from A5110.54191 Protective Clothing to A1640.52600 Equipment

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:

22-208

Date Submitted:

8/31/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: DAN MEARKL

Title/Department: DPW

Contact Information: 607-772-7021

RL Information

Proposed Title: Amend the 2021 Refuse Fund Budget to transfer funds for increased vehicle parts.

Suggested Content: Increase CL8160.54410 (VEHICLE PARTS) by \$15,000 and decrease CL8160.51000 (PERSONAL SERVICES-MEO[VACANT]) by \$15,000

Additional Information

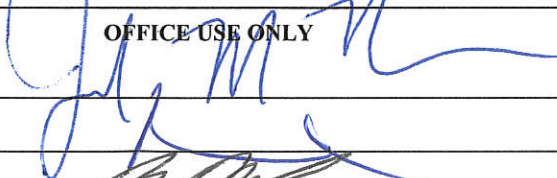

Does this RL concern grant funding? Yes No

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:
22-209
Date Submitted:
8/31/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: BRIAN SEACHRIST

Title/Department: CORP COUNSEL

Contact Information: 607-772-7013

RL Information

Proposed Title: Amend the 2021 General Fund Budget to transfer funds for increased legal costs.

Suggested Content: 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): _____

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"/>

From		
M1910	51000 Personal Services-1st Asst Corp Counsel)	20000
M1910	54450 Vehicle Repair	10000
M1910	54900 Prov. Incurred Loss	45000
M9040	54904 W/C Insurance	10000
M1910	54754 Emer Safety Repairs	10000
M	49999 Fund Balance	100000
		195000
To		
M1910	54430 Legal Service	195000



* Expedite *

Legislative Branch

RL Number:
22-210
Date Submitted:
9/1/22

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Leighton Rogers

Title/Department: City Clerk's Office

Contact Information: 607 772-7005

RL Information

Proposed Title: A Resolution Authorizing Dynamic Effects & Fireworks Company to conduct a fireworks display at Mirabito Stadium

Suggested Content: TBD by Corp. Counsel

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"/>



Office of the City Clerk

Date Filed: _____
License No: _____

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

OUTDOOR FIREWORKS & INDOOR PYROTECHNICS PERMIT APPLICATION

Sponsoring Organization Information

Sponsoring Organization: Nltro Circus

Contact Person: Robert Smith

Address: 946 West 17th Street Costa Mesa, CA 92627

Phone (Home/Work/Cell): 423-358-0269

Fireworks Company Information

Company Name: Dynamic Effects and Fireworks

Contact Person: Robert Smith

Address: 1115 Poor Valley Road Rogersville, TN 37857

Phone (Home/Work/Cell): W- 423-272-5922 C- 423-358-0269

On Site Supervisor(s)

Name: Robert Smith Date of Birth: 07/09/1960

Assistant: Franklin Herbert Date of Birth: 07/30/1985

Assistant: _____ Date of Birth: _____

Assistant: _____ Date of Birth: _____

Assistant: _____ Date of Birth: _____

On the lines below please list all qualifications and/or past experience:

See Attached Resumes



Office of the City Clerk

Date Filed:	_____
License No:	_____

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

Display Information

Location of Proposed Display: 211 Henry St, Binghamton, NY 13901

Date(s) of Display: September 10, 2022 Time(s) of Display: 7:00pm

Type of Display: Indoor Outdoor Both

On the lines below please list all fireworks to be discharged under this permit. Please attach additional pages if necessary.

Propane and Isopropyl Alcohol Flame Effects - See Attached MSDS Sheets and Flame Unit Info.

Type of storage prior to display: _____

Required Attachments

Section 1.

All applications require proof of an insurance certificate in the sum of \$2,000,000.00 for each incident, covering the City of Binghamton as an additional insured for the payment of all damages which may be caused by the reason the display so permitted.

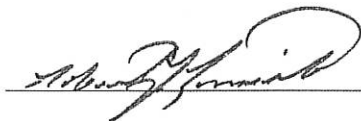
Insurance certificate attached: Yes No

Section 2.

All applications require a diagram of the ground on which the fireworks displays will be held.

Diagram attached: Yes No

I hereby attest that all displays shall meet all the provisions of NFPA 1126 and all provisions of §405.10-18 of the Penal Law of the State of New York. By signing this application, I acknowledge that I understand all the rules and regulations governing fireworks displays and that this display will be in accordance with these regulations.

Signature:  Date: 08/15/2022

DYNAMIC EFFECTS
F i r e w o r k s C o m p a n y



August 16, 2022

Office of the City Clerk
City Hall
38 Hawley Street
Binghamton, NY 13901

Dear City Clerk:

Dynamic Effects & Fireworks Company is proud to announce that we will be hosting a Special Flame Effects Show in conjunction with Nitro Circus at Mirabito Stadium on Saturday, September 10, 2022 at 7:00pm. At this time, I would like to request the test fire be scheduled for Saturday, September 10, 2022 at 3:00pm. If this does not meet with your schedule, please let me know what would be a better time.

Attached you will find the necessary paperwork, product listing, insurance documentation and applications for permit of this display. Once you have reviewed this information and granted us permission to exhibit this display, could you please either email christina@dynamicfx.us or fax me a copy of the approved permit to 423-272-5965.

If you should require further information or documentation, please contact me at 423-272-5922.

In advance thank you for your assistance and cooperation on this matter.

Sincerely,

Christina Allen
Dynamic Effects & Fireworks
08162022

1115 Poor Valley Road, Rogersville, TN 37857 423-272-5922 Fax: 423-272-5965
www.dfxfireworks.com