



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Phil Strawn, City Council President
Leighton Rogers, City Clerk*

**COUNCIL OF THE CITY OF BINGHAMTON
Business Meeting Minutes
City Hall, 38 Hawley Street, Binghamton, NY 13901
Thursday, October 6, 2022**

I. CALL TO ORDER

Majority Leader Resciniti called the meeting to order at 6:03pm

II. PLEDGE OF ALLEGIANCE

Led by Majority Leader Resciniti

III. ROLL CALL

Present: Scaringi (7:27pm), Resciniti, Riley, Friedman, Burns, Scanlon

Absent: Strawn

Also Present: Leighton Rogers (City Clerk), Janine Faulkner (Deputy City Clerk), Sharon Sorkin (First Assistant Corporation Counsel)

IV. ACKNOWLEDGEMENTS AND RECOGNITIONS

V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes

Approve the Minutes from the September 21, 2022 Business Meeting.

Motion: Scanlon

Second: Friedman

Vote: 5-0-0-2

Absent: Scaringi, Strawn

City Council Finance Committee: Scaringi (Chair), Scanlon, Burns

No items to report.

City Council Planning & Community Development Committee: Scanlon (Chair), Scaringi, Friedman

No items to report.

City Council Municipal & Public Affairs Committee: Scaringi (Chair), Resciniti, Riley

No items to report.

City Council Public Works/Parks & Recreation Committee: Scanlon (Chair), Resciniti, Riley

No items to report.

City Council Employees Committee: Resciniti (Chair), Scaringi, Burns

No items to report.

City Council Rules & Procedures/Special Studies Committee: Resciniti (Chair), Scanlon, Friedman

No items to report.



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VI. APPROVAL OF APPOINTMENTS

VII. PUBLIC HEARING

1. The City of Binghamton will hold a Public Hearing regarding RL22-215 entitled “An Ordinance amending Chapter 410 of the Code of Ordinances, Zoning, to allow Cannabis-related businesses in certain zoning districts”

(a) John Solak

Motion to close the public hearing: Friedman

Second: Scanlon

All in Favor

2. The City of Binghamton will hold a Public Hearing regarding RL22-216 entitled “An Ordinance amending Chapter 410 of the Code of Ordinances, Zoning, to address student housing”

(a) Ben Holloway

(b) John Solak

(c) Mark Liscia

(d) Teri Renna

(e) Letter by Stephanie

(f) Letter by Erik

(g) Letter by Rose

Motion to close the public hearing: Scanlon

Second: Burns

All in Favor

3. The City of Binghamton will hold a Public Hearing regarding RL22-217 entitled “An Ordinance to rezone 187 Clinton Street From L-2 Light & Medium Industrial to C-4 Neighborhood Commercial”

(a) John Solak

Motion to close the public hearing: Scanlon

Second: Riley

All in Favor

4. The City of Binghamton will hold a Public Hearing regarding RL22-218 entitled “A Resolution authorizing the Mayor to submit an application for funding from the Empire State Development Corporation Restore New York Communities Initiative Round 6”

(a) John Solak



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Motion to close the public hearing: Scanlon
Second: Friedman
All in Favor

Residents wishing to participate in the Public Hearing(s) may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.com or in-person during the meeting.

VIII. SET PUBLIC HEARINGS

1. The City of Binghamton will hold a Public Hearing regarding the proposed 2023 City of Binghamton budget as amended.

This public hearing will take place at the October 19, 2022 Business Meeting. Residents wishing to participate in the Public Hearing(s) may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.com or in-person during the meeting.

IX. PUBLIC COMMENT/COMMUNICATION

Residents wishing to submit public comment may do so electronically by emailing their comments prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.com or in-person during the meeting.

1. John Solak
2. Teri Rennia

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION

Reconsideration of Permanent Ordinance 22-132. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Treatment Facilities budget for State and Federal Emergency Disaster Assistance

Motion to reconsider Permanent Ordinance 22-132: Scanlon
Second: Burns
Discussion: Riley
Vote: 5-0-0-2
Absent: Scaringi, Strawn

Motion to adopt Permanent Ordinance 22-132 as amended: Scanlon
Second: Friedman
Vote: 5-0-0-2
Absent: Scaringi, Strawn

XII. FIRST READING LEGISLATION



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A. PREFERRED AGENDA

Introductory Ordinance 22-135. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Board budget for lubricants

Introductory Ordinance 22-139. Considered in Finance: Scaringi

An Ordinance to amend the 2022 General Fund budget for office furniture

Introductory Ordinance 22-142. Considered in Finance: Scaringi

An Ordinance to amend the 2022 DPW budget for snow blades

Introductory Ordinance 22-143. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Parks & Recreation budget for a water tightness study and the replacement of a pool liner

Introductory Ordinance 22-144. Considered in Finance: Scaringi

An Ordinance to amend the 2022 DPW budget for purchase of cold patch

Introductory Resolution 22-78. Considered in Planning: Scanlon

A Resolution authorizing the Mayor to amend the agreement with Roberson Museum for use of FY47 CDBG and ESG funds

Introductory Resolution 22-79. Considered in Planning: Scanlon

A Resolution authorizing the Mayor to submit an application for funding from the Empire State Development Corporation Restore New York Communities Initiative Round 6

Introductory Resolution 22-84. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to submit a grant application to the EFC for the Sludge Extraction System

Introductory Resolution 22-85. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to submit a grant application to the EFC for the 6th Ward Interceptor

Motion to approve the Preferred Agenda as amended: Friedman

Second: Scanlon

Vote: 5-0-0-2

Absent: Scaringi, Strawn

B. NON PREFERRED AGENDA

Introductory Ordinance 22-136. Considered in Planning: Scanlon



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An Ordinance to amending the Code of the City of Binghamton, Chapter 410, *Zoning*, to allow cannabis-related businesses in certain zoning districts

Motion to declare City Council as “Lead Agency” under SEQRA: Scanlon

Second: Friedman

All in Favor

Motion to identify the proposed action as “Type 1” under SEQRA: Scanlon

Second: Friedman

All in Favor

Motion to issue a Negative Declaration under SEQRA for the reasons listed in the negative declaration: Scanlon

Second: Burns

Vote: 5-0-0-2

Absent: Scaringi, Strawn

Motion: Scanlon

Second: Friedman

Discussion: Burns, Friedman, Scanlon

Motion to hold over: Scanlon

Second: Riley

Introductory Ordinance 22-136 Held Over

Introductory Ordinance 22-137. Considered in Planning: Scanlon

An Ordinance to amending the Code of the City of Binghamton, Chapter 410, *Zoning*, to address student housing

Motion to declare City Council as “Lead Agency” under SEQRA: Scanlon

Second: Friedman

All in Favor

Motion to identify the proposed action as “Unlisted” under SEQRA: Scanlon

Second: Riley

All in Favor

Motion to issue a Negative Declaration under SEQRA for the reasons listed in the negative declaration: Scanlon

Second: Friedman

Vote: 4-1-0-2

Nay: Riley



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Absent: Scaringi, Strawn

Motion: Scanlon

Second: Friedman

Discussion: Riley, Burns

Councilman Scaringi arrives at 7:27pm

Motion to hold over: Riley

Second: Scaringi

Introductory Ordinance 22-137 held over

Introductory Ordinance 22-138. Considered in Planning: Scanlon

An Ordinance to amend the official zoning map of the City of Binghamton to rezone 187 Clinton Street

President Pro Tem Scaringi takes over

Motion to declare City Council as "Lead Agency" under SEQRA: Scanlon

Second: Resciniti

All in Favor

Motion to identify the proposed action as "Unlisted" under SEQRA: Scanlon

Second: Resciniti

All in Favor

Motion to issue a Negative Declaration under SEQRA for the reasons listed in the negative declaration: Scanlon

Second: Resciniti

Vote: 6-0-0-1

Absent: Strawn

Motion: Scanlon

Second: Resciniti

Vote: 6-0-0-1

Absent: Strawn

Introductory Ordinance 22-145. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Treatment Facilities budget for State and Federal Emergency Disaster Assistance

Motion: Scanlon

Second: Resciniti



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Vote: 6-0-0-1

Absent: Strawn

Introductory Ordinance 22-140. Considered in Finance: Scaringi

An Ordinance to allocate ARPA funds for Youth Programming and Services

Pulled from the Preferred Agenda by Friedman

Introductory Ordinance 22-141. Considered in Finance: Scaringi

An Ordinance to allocate ARPA funds for VINES

Pulled from the Preferred Agenda by Friedman

Introductory Resolution 22-80. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to enter into an agreement with the Community Foundation for South Central New York for use of ARPA funds

Pulled from the Preferred Agenda by Friedman

Introductory Resolution 22-81. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to enter into an agreement with the Binghamton City School District for use of ARPA funds

Pulled from the Preferred Agenda by Friedman

Introductory Resolution 22-82. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to enter into an agreement with Lourdes Youth Services for use of ARPA funds

Pulled from the Preferred Agenda by Friedman

Introductory Resolution 22-83. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to enter into an agreement with the Boys & Girls Club of Binghamton for use of ARPA funds

Pulled from the Preferred Agenda by Friedman

Introductory Resolution 22-86. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to enter into an agreement with VINES for use of ARPA funds

Pulled from the Preferred Agenda by Friedman



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Motion to hold over Introductory Ordinance 22-140, Introductory Ordinance 22-141, Introductory Resolution 22-80, Introductory Resolution 22-81, Introductory Resolution 22-82, Introductory Resolution 22-83, and Introductory Resolution 22-86

Motion: Friedman

Second: Burns

* Introductory Ordinance 22-140, Introductory Ordinance 22-141, Introductory Resolution 22-80, Introductory Resolution 22-81, Introductory Resolution 22-82, Introductory Resolution 22-83, and Introductory Resolution 22-86 held over*

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

1. Riley
2. Friedman
3. Burns
4. Scanlon
5. Resciniti
6. Scaringi

XIV. ADJOURNMENT

Motion to adjourn at 8:02pm: Scanlon

Second: Resciniti

All in Favor

From: Stephanie Karluk <stephaniek@stic-cil.org>
Sent: Friday, September 30, 2022 2:56 PM
To: COB_Clerk
Subject: RL22-216 Zoning Law

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated from outside the organization. BE SUSPICIOUS of any links in the email. If this email is asking for something unusual, do not reply to the email. Contact the sender through another method, or contact the City IT department for help.

Hello,

I am unable to attend City Hall on October 6th due to being out of town that week.

However, the zoning law is something that I am interested in and that I would like to comment on.

There have been multiple cities that have attempted to enforce a similar law, but they have not found it to be successful. The one avenue that would ensure success for the residents of Binghamton is to make Profession a protected class under the Binghamton Fair Housing Act. This would get rid of the discrimination against non-students in the area and open up housing for those that cannot find any due to the over-abundance of student private housing.

Students are only here for four years. The community is here for life. Our life blood is being drained and being replaced with temporary residents who add nothing to the culture of this city and leave it in worse state than it was before, having no pride in the community they are in because it is not their own.

Coming from a student who was born and raised in Binghamton, we need to put our main focus on the community, not on the university.

Stephanie Karluk

Olmstead Housing Specialist
Regional Lead, Southern Tier Region
Southern Tier Independence Center
135 East Frederick Street
Binghamton, NY 13904
Ph: (607) 724-2111 ext. 355
F: (607) 772-3616

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Eric A. Bare, Esq.
1010 Powderhouse Rd.
Vestal, NY 13850
607-722-9348
Trebares@juno.com

Oct. 3, 2022

Clerk- City of Binghamton
City Hall
38 Hawley St.
Binghamton, NY 13901

Re: Student Zoning Ordinance.

Dear Clerk;

I would like to submit the attached letter to the next appropriate meeting on the subject by the City Council.

Per your rules for comments, much of my work is in the City of Binghamton, as are many of my clients who have a financial interest in this matter.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. A. Bare', written in a cursive style.

Eric A. Bare

Eric A. Bare, Esq.
1010 Powderhouse Rd.
Vestal, NY 13850
607-722-9348
Trebare@aol.com

Oct. 3, 2022

City of Binghamton
Planning Commission
City Hall
38 Hawley St.
Binghamton, NY 13901

Re: Student Zoning Ordinance.

Dear Members of the Planning Commission

I am writing, on behalf of a Binghamton Landlord to help inform your decisions about the potential impacts of the new student zoning ordinance.

While the proposed ordinance has many worthy goals, the means to accomplish them they should not come at the expense of fundamental fairness or inadvertently be counterproductive.

The landlord I represent has provided quality housing for 25 yrs. He has followed all the rules put forth by the City throughout this entire period. He has never had any code problems-at times even having voluntary inspections. He rents to both community members and students. His tenants have included seniors, vets, young couples and couples to be, and students; people of all backgrounds and identities. His properties are broadly affordable for this area, providing housing to people who need it. He personally lives next to a building that houses students. He is both a good neighbor and the type of local landlord the City should want to attract and encourage. He is also a vanishing type of landlord.

He began his business, like many, relying on the stability of the rules issued by the City. The proposed changes will have a significant negative impact on his investment. They will decrease the income available for paying expenses associated with his properties. They will also decrease any price he receives when he finally sells a property. In short the proposed ordinance will financially squeeze a whole set of responsible landlords.

The lack of stability in the regulatory framework will be a concern not only for him and others in the housing market but for any business that is considering a long term investment in the City of Binghamton.

In short, as written, the proposed ordinance penalizes exactly the kind of Landlord the City needs to address the stated problems .

There are good and attentive landlords and there are bad slumlords (with many shadings in between). Policy for the best should not be set by the conduct of the worst. If you are not being a part of the problem, why should you have to make highly disruptive changes? In fact, bad landlords will still probably stay bad landlords even with this ordinance.

Finally, two practical notes. First, the time when any such law goes into effect is important. Many students arrange for the next years housing before the current school year ends. Leases frequently run for the entire school year. The starting date of the law should take this into consideration so existing leases are not nullified at the end of the first semester.

Second, one approach for providing both stability and positive change could be to grandfather existing buildings. That could be contingent on not being the source of problems. There could be an arrangement like lockdown points where violations lead to loss of grandfathered status.

I am sure that with proper consideration, worthy goals can be achieved with fairness.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric A. Bare".

Eric A. Bare

From: Rose Peguero <rosepeguero488@gmail.com>
Sent: Thursday, October 6, 2022 9:22 AM
To: COB_Clerk; Riley, Angela
Subject: Council Hearing on Student Housing

Caution: This email originated from outside the organization. BE SUSPICIOUS of any links in the email. If this email is asking for something unusual, do not reply to the email. Contact the sender through another method, or contact the City IT department for help.

Dear Council Members,

Please consider the following information presented in this email in consideration of the student housing zoning legislation. This information was previously discussed this week with Angela Riley, Councilwoman from District 3. On March 27th of this year I was admitted to Wilson Memorial Hospital after noise and the startling affect of one of the student parties at 86 Chapin Street. While this was a triggering event it was also the build up of eight months of parties and noise.

Noise on Leroy Street in front of my apartment and house had increased since September of 2021. Unfortunately, the many months of noise and being startled, when I could sleep, took it's toll on my health causing PTSD symptoms, sleep deprivation, and other health issues.

Students could be seen stumbling off of the BU Blue Bus, domestic fights between partners on my lawn and loud, vulgar, and swearing sounds were the usual occurrence from Thursday night through Saturday night. Noise and partying often would start as early as 6:30 pm and run on weekends until 3: 00 am in the morning.

Traffic through the intersection of Chapin and Leroy is often heavy with the students back. I believe at least mine motor vehicle accidents have occurred at this same intersection since July of 2021. One MVA on June 27th of this year caused property damage to the homes front porch. Historically a fatal MVA occurred in 2018 on this same property at this intersection.

Besides the toll of noise, parties bring trash to the front lawn every weekend. As the house is on the corner, it's not just Leroy Street but, Chapin Street exposure so there is twice the level of noise, trash, and traffic. Students have stolen the "No Parking" Sign.

Every weekend has meant not just the lack of sleep and peace but having to actively address the issues with the students from the porch and calling the police. On nights when the call is made to the Binghamton Police Dept a female dispatcher responds to the call. Normally her response is it's students and it's Friday night. I contacted the Mayor's office last fall by calling and sending email with no response. I reached out to BPD Community Outreach and documented the dispatcher's response. I received an email back from community outreach. Called BPD detectives regarding the sale of drugs at 89 Chapin and 91 Chapin last fall and had no response. Proactively I attempted to resolve these issues. Officers are often tied up and can take half an hour to respond. Sometimes a second call has to be placed the same night. Ongoing fireworks are still an issue in this area.

Besides the student traffic 91 Chapin Street through July of this year was a source of multiple calls to BPD. Noise levels causing my windows and floors to vibrate were daily. This noise interfered with my ability to work remotely and sustain income.

Snow removal is affected at this intersection by the student parking so the corner is never well cleaned.

Trash day has been another issue. The move out with the student trash piled up and left overs remaining on lawns for weeks made the City and neighborhood look dirty. The Public Works Dept worked diligently for weeks late into the night. If landlords aren't going to provide dumpsters for move out then there should be a fee to cover manpower and overtime.

This year calls to Amicus have had to take place due to a student exposing himself and urinating on my lawn while another threatened to throw up. This in addition to police calls. Parties of upwards of 50 students has been occurring. With it the noise and trash.

The City of Cortland also once faced similar issues and was able to find legislation language which protected the city's heritage and hardworking people along with student activity. My hope is that the City will be more proactive monitoring student housing and it's footprint.

Sincerely,
Rose Peguero
43 Leroy Street
607-341-3737