



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Phil Strawn, City Council President

Leighton Rogers, City Clerk

**COUNCIL OF THE CITY OF BINGHAMTON
Business Meeting Agenda
City Hall, 38 Hawley Street, Binghamton, NY 13901
Wednesday, December 21, 2022**

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ACKNOWLEDGEMENTS AND RECOGNITIONS

V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes

Approve the Minutes from the December 7, 2022 Business Meeting.

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.

VI. APPROVAL OF APPOINTMENTS

VII. PUBLIC HEARING

VIII. SET PUBLIC HEARINGS

The City of Binghamton will hold a Public Hearing regarding RL22-299, the rezoning of portions of Conklin Avenue.

This public hearing will take place at the January 11, 2023 Business Meeting. Residents wishing to participate in the Public Hearing(s) may do so electronically by emailing their comments prior to



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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.

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION

Local Law 22-03. Considered in MPA: Scaringi

A Local Law amending the Charter of the City of Binghamton, Article IA, Chapter 6, Councilmanic District Boundaries, pursuant to the Municipal Home Rule Law

XII. FIRST READING LEGISLATION

A. PREFERRED AGENDA

Introductory Ordinance 22-181. Considered in Planning: Scanlon

An Ordinance to amend Chapter 265-41, Housing and Property Maintenance, Fees, of the Code of the City of Binghamton, to add additional language

Introductory Ordinance 22-183. Considered in Employees: Resciniti

An Ordinance to amend various sections in Chapter 5, Administration of Government, of the code of the City of Binghamton

Introductory Ordinance 22-184. Considered in MPA: Scaringi

An Ordinance to amend Chapter 127-2, Procurement Policy, Basic Guidelines for Quoting, of the Code of the City of Binghamton, to be consistent with State Procurement Law

Introductory Ordinance 22-185. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Fire budget for vehicle parts, equipment maintenance and building maintenance

Introductory Ordinance 22-186. Considered in Finance: Scaringi

An Ordinance to amend the 2022 General Fund budget for equipment at the new fire station

Introductory Ordinance 22-187. Considered in Finance: Scaringi

An Ordinance to amend the project cost of the new fire station

Introductory Ordinance 22-188. Considered in Finance: Scaringi

An Ordinance to allocate ARPA funds for premium pay as approved in the Blue Collar and Supervisors Contracts



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Introductory Ordinance 22-190. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Treatment Facilities budget for gas and diesel

Introductory Ordinance 22-191. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Treatment Facilities budget for FEMA reimbursement

Introductory Ordinance 22-192. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Treatment Facilities budget for water expenses

Introductory Resolution 22-99. Considered in Finance: Scaringi

A Resolution approving a revolving loan in the amount of \$250,000 from the BLDC to Hanrahan Enterprises for the purchase of Nirchi's Pizza at 166 Water Street

Introductory Resolution 22-100. Considered in Planning: Scanlon

A Resolution authorizing the Mayor to enter into an agreement with C&S Engineers, Inc. to perform a climate action plan, greenhouse gas inventory, and NYS climate certification

Introductory Resolution 22-101. Considered in Finance: Scaringi

A Resolution authorizing the Mayor to enter into supplemental agreement No. 1 with J.S. Miller Appraisal Associates, LLC. to re-appraise 6 properties

Introductory Resolution 22-102. Considered in Finance: Scaringi

A Resolution authorizing the City of Binghamton to accept a donation from Broadview Federal Credit Union for fire prevention week

Introductory Resolution 22-103. Considered in Rules/SS: Resciniti

A Resolution authorizing Social on State to conduct a Fireworks display for New Year's Eve 2022/2023 at midnight

B. NON PREFERRED AGENDA

Introductory Ordinance 22-182. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Police Capital Fund budget to create and fund a Capital budget line for special law enforcement

Introductory Ordinance 22-189. Considered in Finance: Scaringi

An Ordinance authorizing the sale of 92 Park Avenue to Sabrina Brooks for \$65,000



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Introductory Ordinance 22-193. Considered in Finance: Scaringi

An Ordinance to amend the 2022 General Fund and Capital budget for police vehicles and equipment

Introductory Ordinance 22-194. Considered in Finance: Scaringi

An Ordinance to amend the 2022 Binghamton-Johnson City Joint Sewage Treatment Facilities budget to close out Capital Funds

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

XIV. ADJOURNMENT

BML



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

Date: December 7, 2022

Sponsored by Council Members: Scaringi, Resciniti

Introduced by Committee: MPA

LOCAL LAW NO. 3 OF 2022

entitled

A LOCAL LAW AMENDING THE CHARTER OF
THE CITY OF BINGHAMTON, ARTICLE IA, §C-
6, COUNCILMANIC DISTRICT BOUNDARIES,
PURSUANT TO THE MUNICIPAL HOME RULE
LAW

WHEREAS, the Council of the City of Binghamton wishes to amend §C-6, *Councilmanic District Boundaries*, pursuant to Municipal Home Rule Law § 10; and

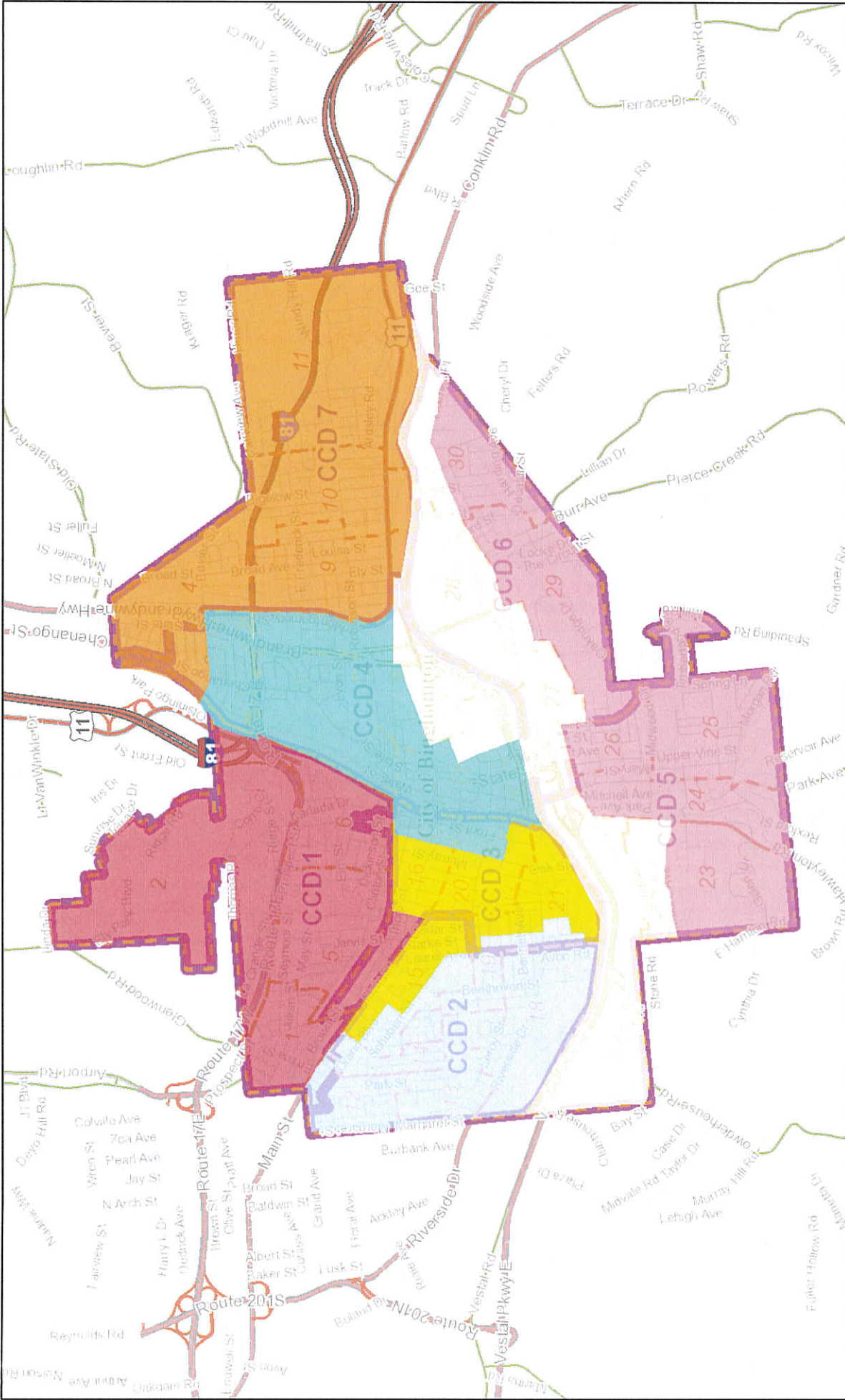
WHEREAS, a public hearing has been held before the Council of the City of Binghamton on December 7, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Charter of the City of Binghamton §C-6, *Councilmanic District Boundaries*, is hereby amended as attached, along with the corresponding attached district map.

Section 2. That this Local Law shall take effect upon filing with the Secretary of State.

City of Binghamton Draft City Council Map



1 inch = 3,850 feet

0 2,400 4,800 ft

Broome County, NY
GIS
www.broomecountyny.gov

Election Districts

Existing City Council Districts

City Boundary

Census Blocks

DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.

<u>GEOID</u>	<u>Census Block #</u>	<u>District</u>
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<u>GEOID</u>	<u>Census Block #</u>	<u>District</u>
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<u>GEOID</u>	<u>Census Block #</u>	<u>District</u>
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<u>GEOID</u>	<u>Census Block #</u>	<u>District</u>
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<u>GEOID</u>	<u>Census Block #</u>	<u>District</u>
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<u>GEOID</u>	<u>Census Block #</u>	<u>District</u>
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**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: December 21, 2022

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

Introduced by Committee: Planning

ORDINANCE

entitled

AN ORDINANCE TO AMEND CHAPTER 265-41,
HOUSING AND PROPERTY MAINTENANCE,
FEES, OF THE CODE OF THE CITY OF
BINGHAMTON, TO ADD ADDITIONAL
LANGUAGE

WHEREAS, the Council of the City of Binghamton wishes to amend the Code of the City of Binghamton, Chapter 265, *Housing and Property Maintenance*, §265-41, *Fees*, to add additional language.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 265, *Housing and Property Maintenance*, §265-41, *Fees*, to add additional language after the current paragraph as follows:

§265-41. Fees [Amended 12-21-2022 by Ord. No. _____]
“Construction and rehabilitation projects utilizing City of Binghamton grant funding shall be exempt from fees.”

Section 2. That this Ordinance shall take effect immediately.



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

Date: December 21, 2022

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

Introduced by Committee: Employees

ORDINANCE

entitled

AN ORDINANCE TO AMEND VARIOUS
SECTIONS IN CHAPTER 5, ADMINISTRATION
OF GOVERNMENT, OF THE CODE OF THE
CITY OF BINGHAMTON

WHEREAS, the Council of the City of Binghamton wishes to amend various sections of the Code of the City of Binghamton, Chapter 5, *Administration of Government*.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 5, *Administration of Government*, §5-3, *City Hall Hours*, is amended as follows:

§ 5-3. City Hall hours. [Added 5-30-1973 by Ord. No. 106-73; **Amended 12-21-2022 by Ord. No. _____**] Except for certain designated holidays, ~~and certain special hours maintained by the City Treasurer's office for collection purposes, the new City Hall shall be opened throughout the entire year, Monday through Friday, from 9:00 a.m. to 5:00 p.m. In conformance with the negotiated Taylor Law contract between the City and the employees employed in the City Hall, the hours of said employees shall be from 9:00 a.m. to 5:00 p.m., with one hour for lunch, Monday through Friday, throughout the entire year.~~

Section 2. That the Code of the City of Binghamton, Chapter 5, *Administration of Government*, §5-24, *Public Access to Records*, is amended as follows:

§ 5-24. Public access to records. [Added 4-21-1975 by Ord. No. 54-75; Amended 9-4-07 by Ord. No. 44-2007; Amended 5-19-08 by Ord. No. 27-2008; **Amended 12-21-2022 by Ord. No. _____**]

(1) (1) The head of each department, ~~bureau, or office~~ listed below shall serve as records access officer for said department, ~~bureau or office~~:

- (a) Mayor.
- (b) Assessment.
- (c) ~~Building Inspector.~~ **Construction & Code Enforcement**
- (d) City Clerk.
- (~~e~~) ~~City Court.~~
- (~~f~~) **(e) Civil Service & Personnel**
- (~~g~~) **(f) Community Development & Planning**

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: December 21, 2022

- ~~(h)~~ **(g)** Corporation Counsel.
- ~~(i)~~ **(h)** ~~Data Processing.~~ **Information Management & Technology**
- (i) Economic Development**
- (j) Engineering.
- (k) Finance.
- (l) Fire.
- (m) Police Bureau.
- (n) Public Works.
- (o) Purchasing.
- (p) **Parks & Recreation.**
- ~~(q)~~ ~~Signal Bureau.~~
- ~~(r)~~ **(q)** City Treasurer.
- ~~(s)~~ **(r)** Vital Statistics.
- ~~(t)~~ **(s)** ~~Water & Sewer Departments Bureau.~~
- ~~(u)~~ ~~Weights and Measures.~~

Section 3. That this Ordinance shall take effect immediately.



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

Date: December 21, 2022

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

Introduced by Committee: MPA

ORDINANCE

entitled

AN ORDINANCE TO AMEND CHAPTER 127-2,
PROCUREMENT POLICY, BASIC GUIDELINES
FOR QUOTING, OF THE CODE OF THE CITY
OF BINGHAMTON, TO BE CONSISTENT WITH
STATE PROCUREMENT LAW

WHEREAS, the Council of the City of Binghamton wishes to amend the Code of the City of Binghamton, Chapter 127, *Procurement Policy*, §127-2, *Basic Guidelines for Quoting*, to be consistent with State Procurement Law.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 127, *Procurement Policy*, §127-2, *Basic Guidelines for Quoting*, to be consistent with State Procurement Law as follows:

§ 127-2. Basic guidelines for quoting. [**Amended 12-21-2022 by Ord. No. ____**]
Basic guidelines for quoting are as follows:

A. All purchases of commodities:

<u>Amount of Purchase</u>	<u>Payment Method/Quote Required</u>
Up to \$50	Petty Cash
Over \$50 to \$1,000	Discretion of the purchasing agent
Over \$1,000 to \$5,000 \$9,999	Telephone quote: 3 vendor minimum if available, approval by purchasing agent
Over \$5,000 \$10,000 to \$9,999 \$19,999	Written/fax quote: 3 vendor minimum if available and approval of Board of Contract and Supply
\$10,000 \$20,000 and over	Formal Bid

B. All public works contracts:

<u>Amount of Purchase</u>	<u>Payment Method/Quote Required</u>
Up to \$5,000 \$9,999	The recommendation of the using department and approval of the purchasing agent, after 3 telephone proposals if available
Over \$5,000 \$10,000 to \$19,999 \$34,999	Written /fax quote: 3 vendor minimum if available and approval of Board of Contract and Supply
\$35,000 and over	Formal Bid

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

Date: December 21, 2022

Section 2. That this Ordinance shall take effect immediately.



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2022 FIRE
BUDGET FOR VEHICLE PARTS, EQUIPMENT
MAINTENANCE AND BUILDING
MAINTENANCE**

WHEREAS, the Fire Chief and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 Fire budget for vehicle parts, equipment maintenance and building maintenance, in the amount of \$14,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 21, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 Fire budget for vehicle parts, equipment maintenance and building maintenance, in the amount of \$14,000 as follows:

Transfer From (Decrease):

\$ 8,000 A3410.54701 (Travel/Training)
3,500 A3410.54190 (Uniforms)
2,500 A3410.54300 (Insurance)

\$14,000

Transfer To (Increase):

\$ 4,000 A3410.54610 (Building
Rep./Maint.)
4,000 A3410.54110 (Vehicle Parts)
6,000 A3410.54620 (Equip. Rep./Maint.)

\$14,000

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2022
GENERAL FUND BUDGET FOR EQUIPMENT
AT THE NEW FIRE STATION**

WHEREAS, the Fire Chief and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 General Fund budget for equipment at the new fire station in the amount of \$100,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 21, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 General Fund budget for equipment at the new fire station in the amount of \$100,000 as follows:

Transfer From (Decrease):

\$ 80,000 A9015.58000 (Police/Fire Retire.)
20,000 A1364.54681 (Tax Real Prop.)

\$100,000

Transfer To (Increase):

\$100,000 A3410.52600 (Equipment)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE PROJECT
COST OF THE NEW FIRE STATION**

WHEREAS, pursuant to Permanent Ordinance 21-156, adopted December 22, 2021, the Council of the City of Binghamton amended the Bond Ordinance adopted July 27, 2020, and amended January 20, 2021 to finance construction of the new fire station; and

WHEREAS, on December 22, 2021, the Council determined that the estimated maximum cost of the project increased to \$10,000,000; and

WHEREAS, the Council has now determined that the estimated maximum cost of the construction will not exceed \$10,200,000; and

WHEREAS, the Council is acknowledging the additional \$200,000 in cost, but is not authorizing the additional borrowing capacity on the bond; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 21, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the project cost of the new fire station and acknowledge the additional \$200,000 in cost, but not authorize the additional borrowing capacity on the bond.

Section 2. That this Ordinance shall take effect immediately.



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO ALLOCATE AMERICAN
RESCUE PLAN ACT FUNDS FOR PREMIUM
PAY AS APPROVED IN THE BLUE COLLAR
AND SUPERVISORS CONTRACT**

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to allocate ARPA funds in the amount of \$799,095.10 for premium pay including wages and FICA as agreed upon in the approved Blue Collar and Supervisors contract; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 21, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to allocate ARPA funds in the amount of \$799,095.10 for premium pay including wages and FICA as agreed upon in the approved Blue Collar and Supervisors contract.

Section 2. That this Ordinance shall take effect immediately.



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2022
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITIES BUDGET
FOR GAS AND DIESEL

WHEREAS, the City of Binghamton (the “City”) is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the “BJCJSTF”) with the Village of Johnson City (the “Village”); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the “JSB”) under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested an amendment to the 2022 BJCJSTF budget to increase the appropriations for gas and diesel in the amount of \$9,000.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to increase the appropriations for gas and diesel in the amount of \$9,000 as follows:

Transfer From (Decrease):

\$9,000 J8130.55000 (Contingency)

Transfer To (Increase):

\$9,000 J8130.54112 (Gas/Diesel)

Section 2. That this Ordinance shall be effective when also approved by sufficient members of the Board of Trustees of the Village.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2022
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITIES BUDGET
FOR STATE AND FEDERAL EMERGENCY
DISASTER ASSISTANCE

WHEREAS, the City of Binghamton (the "City") is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the "BJCJSTF") with the Village of Johnson City (the "Village"); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "JSB") under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested an amendment to the 2022 BJCJSTF budget to (i) increase the State Aid – Emergency Disaster Fund and the Federal Aid – Emergency Disaster Fund, and (ii) increase appropriations for Reimburse Owner Recovery Expense and Professional Services to reflect the FEMA NYS-DHSES check.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to (i) increase the State Aid – Emergency Disaster Fund and the Federal Aid – Emergency Disaster Fund, and (ii) increase appropriations for Reimburse Owner Recovery Expense and Professional Services to reflect the FEMA NYS-DHSES check as follows:

- (i) \$ 75,478.31 increase revenue budget line J.43960 (State Aid – Emergency Disaster Asst.)
- (ii) \$226,434.95 increase revenue budget line J.44960 (Fed. Aid – Emergency Disaster Asst.)
- (iii) \$301,913.26 increase expense budget line J8130.54899 (Reimburse Owner Recovery Expense)

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

Date: December 21, 2022

Section 2. That this Ordinance shall be effective when also approved by sufficient members of the Board of Trustees of the Village.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2022
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITIES BUDGET
FOR WATER EXPENSES**

WHEREAS, the City of Binghamton (the “City”) is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the “BJCJSTF”) with the Village of Johnson City (the “Village”); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the “JSB”) under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested an amendment to the 2022 BJCJSTF budget to increase the appropriations for water expenses in the amount of \$20,000.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2022 BJCJSTF budget to increase the appropriations for water expenses in the amount of \$20,0000 as follows:

Transfer From (Decrease):

Transfer To (Increase):

\$20,000 J8130.55000 (Contingency)

\$20,000 J8130.54221 (Water)

Section 2. That this Ordinance shall be effective when also approved by sufficient members of the Board of Trustees of the Village.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: December 21, 2022

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION APPROVING A REVOLVING
LOAN IN THE AMOUNT OF \$250,000 FROM
THE BINGHAMTON LOCAL DEVELOPMENT
CORPORATION (BLDC) TO HANRAHAN
ENTERPRISES FOR THE PURCHASE OF
NIRCHI'S PIZZA AT 166 WATER STREET

WHEREAS, the Binghamton Local Development Corporation ("BLDC") approved a revolving loan in the amount of \$250,000 to Hanrahan Enterprises for the purchase of Nirchi's Pizza located at 166 Water Street, pursuant to BLDC Resolution 22-23, dated November 17, 2022; and

WHEREAS, pursuant to the funding agreement between the City and the BLDC, the BLDC has requested City Council to approve the loans.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session does hereby:

RESOLVE that the Council of the City of Binghamton does hereby authorize and approve a revolving loan in the amount of \$250,000 to Hanrahan Enterprises for the purchase of Nirchi's Pizza located at 166 Water Street; and be it further

RESOLVED that BLDC Resolution 22-23, dated November 17, 2022, setting forth the terms and conditions of such loan is annexed hereto and made a part hereof, and that such loan shall be subject to other terms and conditions as Corporation Counsel may find necessary and proper.

Binghamton Local Development Corporation

November 17, 2022

RESOLUTION 22-23: A RESOLUTION OF THE BINGHAMTON LOCAL DEVELOPMENT CORPORATION APPROVING A REVOLVING LOAN TO HANRAHAN ENTERPRISES IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000), FOR THE PURCHASE OF THE BUSINESS NIRCHI'S PIZZA AT 166 WATER STREET

WHEREAS, John Hanrahan of Hanrahan Enterprises has submitted a Revolving Loan Fund Application to assist with the purchase of the business of Nirchi's Pizza at 166 Water Street Binghamton; and

WHEREAS, the loan application met all eligibility requirements set forth by the BLDC Revolving Loan Fund Program; and

WHEREAS, the BLDC Finance Committee reviewed and recommended said application for approval; and

WHEREAS, the loan shall be funded from the Binghamton Local Development Corporation Revolving Loan Fund;

NOW, THEREFORE, the Board of Directors of the Binghamton Local Development Corporation duly convened at a regular meeting, does hereby:

RESOLVE that the Revolving Loan to Hanrahan Enterprises be approved; and be it further:

RESOLVED, that terms of the loan, together with the loan collateral and contingencies, are listed in the narrative attached hereto and made a part hereof; and be it further

RESOLVED, that this loan must approved by Binghamton City Council; and be it further

RESOLVED, that after approval from the Binghamton City Council the President of the BLDC is hereby authorized and empowered to transmit a letter of commitment to the applicant and to complete the loan process.

I, Ron Sall, hereby certify the above resolution was approved by the Binghamton Local Development Corporation at its regular meeting held on November 17, 2022.



Ron Sall, Secretary
Binghamton Local Development Corporation



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

Date: December 21, 2022

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

Introduced by Committee: Planning

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH C&S
ENGINEERS, INC. TO PERFORM A CLIMATE
ACTION PLAN, GREENHOUSE GAS
INVENTORY, AND NYS CLIMATE
CERTIFICATION

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with C&S Engineers, Inc. to perform a Climate Action Plan, Greenhouse Gas Inventory, and NYS Climate Certification, in an amount not to exceed \$74,600.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session does hereby:

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with C&S Engineers, Inc. to perform a Climate Action Plan, Greenhouse Gas Inventory, and NYS Climate Certification, in an amount not to exceed \$74,600; and that funds shall be deducted from budget line A1210.54410 (Prof.Ser.) for this purpose.

I HEREBY CERTIFY that the above described
funds are unencumbered and available

Chuck Shager, Comptroller



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

Date: December 21, 2022

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO SUPPLEMENTAL
AGREEMENT NO. 1 WITH J.S. MILLER
APPRAISAL ASSOCIATES, LLC. TO RE-
APPRAISE 6 PROPERTIES

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 22-42, dated April 20, 2022, with J.S. Miller Appraisal Associates, LLC. for the appraisal of 12 commercial properties; and

WHEREAS, the Assistant Director of Planning wishes to enter into Supplemental Agreement No. 1 with J.S. Miller Appraisal Associates, LLC. to re-appraise 6 properties, in an amount not to exceed \$7,000.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session does hereby:

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into Supplemental Agreement No. 1, approved as to form and content by the Office of Corporation Counsel, with J.S. Miller Appraisal Associates, LLC. to re-appraise 6 properties, in an amount not to exceed \$7,000; and that funds shall be deducted from budget line H8684.533508.X0003 (Court Street FEMA Demo) for this purpose.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller



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

Date: December 21, 2022

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

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE CITY OF
BINGHAMTON TO ACCEPT A DONATION
FROM BROADVIEW FEDERAL CREDIT
UNION FOR FIRE PREVENTION WEEK**

WHEREAS, the Broadview Federal Credit Union wishes to donate \$250 for Fire Prevention Week; and

WHEREAS, the City of Binghamton wishes to accept the donation.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session does hereby:

RESOLVE that the City of Binghamton is hereby authorized to accept \$250 from the Broadview Federal Credit Union for Fire Prevention Week, and funds will be deposited into budget line H4540.550010 (Emergency Medical Service Program).



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

Date: December 21, 2022

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

Introduced by Committee: Rules/Special Studies

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING SOCIAL ON
STATE TO CONDUCT A FIREWORKS DISPLAY
ON NEW YEAR'S EVE 2022/2023 AT
MIDNIGHT**

WHEREAS, pursuant to the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405, it is necessary for the Council of the City of Binghamton to authorize any requested fireworks displays; and

WHEREAS, Mark Yonaty has requested to conduct a fireworks display at the Metro Center parking lot on New Year's Eve 2022/2023 at midnight for an event hosted by Social on State.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that Mark Yonaty is hereby granted permission to hold a fireworks display at the Metro Center parking lot on New Year's Eve 2022/2023 at midnight for an event hosted by Social on State; and be it further

RESOLVE that all displays are subject to approval by the Fire Marshall; and be it further

RESOLVE that Mark Yonaty will pay all applicable fees, and comply with all safety precautions, road closings, and other requirements and obligations a required by the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405; and be it further

RESOLVE that Mark Yonaty will comply with all New York State guidelines regarding the COVID-19 pandemic, if any, regarding attendance and such fireworks displays.



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2022 POLICE
CAPITAL BUDGET TO CREATE AND FUND A
CAPITAL BUDGET LINE FOR SPECIAL LAW
ENFORCEMENT**

WHEREAS, the Chief of Police and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 Police Capital budget to (i) create budget line H3120.54714 (Special Law Enforcement) and (ii) transfer funds in the amount of \$10,000 for same; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 21, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 Police Capital budget to (i) create budget line H3120.54714 (Special Law Enforcement) and (ii) transfer funds in the amount of \$10,000 for same as follows:

- (i) \$10,000 decrease expense budget line A3120.54714 (Special Law Enforcement)
- (ii) \$10,000 increase expense budget line A9950.59000 (Interfund Transfer)
- (iii) \$10,000 increase expense budget line H3120.54714 (Special Law Enforcement)
- (iv) \$10,000 increase revenue budget line H.45031 (Interfund Transfer)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds
are unencumbered and available

Chuck Shager, Comptroller



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
92 PARK AVENUE TO SABRINA BROOKS FOR
\$65,000**

WHEREAS, the City of Binghamton is the owner of certain real property located at 92 Park Avenue, Binghamton, New York, Tax Parcel 176.24-2-23 (the "Premises"); and

WHEREAS, pursuant to Permanent Resolution 20-03, dated February 5, 2020, City Council approved to receive grant from Enterprise Community Partners in the amount of \$585,000 for the Cities RISE innovation program; and

WHEREAS, this property has been brought to code compliance as part of the Cities RISE Program and is ready to sell; 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 December 21, 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 Sabrina Brooks by Quitclaim Deed for \$65,000 to be paid by cash, certified, or local bank check.

Section 2. This transfer is subject to the conditions in the attached contract of sale.

Section 3. That this Ordinance shall take effect immediately.

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

Project Number: None

Date: December 21, 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 92 Park Avenue, Binghamton, New York.

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The City of Binghamton is transferring 92 Park Avenue, Binghamton, New York, Tax Parcel No. 176.24-2-23, to Sabrina Brooks.

Location: 92 Park Avenue, 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 an existing single family house that was renovated pursuant to the Cities RISE Innovation Program. The structure that has been brought to code compliance and is ready to sell. The Purchaser is a City resident that wishes to use the property for residential purposes. As a result, there is no change in use and no environmental impact.

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: Phil 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)

C o n t r a c t o f S a l e

THIS CONTRACT OF SALE dated as of the day of _____, 2022, by and between the City of Binghamton, a municipal corporation, City Hall, 38 Hawley Street, Binghamton, New York 13901 ("Seller"), and Sabrina Brooks ("Purchaser").

WITNESSETH:

WHEREAS, the Seller owns certain real property located at 92 Park Avenue, Binghamton, New York, Parcel ID Number: 176.24-2-23 (the "Premises"); and

WHEREAS, the Seller is willing to sell the Premises and the Purchaser is willing to purchase the Premises, upon the terms and conditions herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. Sale and Purchase. The Seller agrees to sell and convey, and the Purchaser agrees to purchase a portion of the Premises. Purchaser will pay for an obtain a survey and the description will be included in the deed.

2. Purchase Price. The purchase price for the Premises is SIXTY FIVE THOUSAND AND 00/100 (\$65,000), to be paid at the time of the closing by certified check or bank funds.

3. Contingencies. The Purchaser's obligations herein are contingent on the following:

3.1 Within 45 days from the date hereof, receipt of a mortgage commitment from a commercial lender.

3.2 Within 45 days from the date hereof, a satisfactory real property inspection, which may include inspections for infestation and radon. Purchaser is relying solely on its own inspection and investigation to determine whether to purchase the Premises. Purchaser is accepting the Premises in its "AS IS" condition. Seller makes no representations or warranties regarding the condition of the Premises or any information supplied to or reviewed by Purchaser.

3.3 Within 45 days from the date hereof, a satisfactory title report. Seller may, but is not obligated to correct any title issues. See 6 below.

4. Subject to Provisions. The Premises are to be transferred subject to the following:

4.1 Such state of facts as an accurate survey or personal inspection may disclose, provided the same does not render title unmarketable.

4.2 Rights of the public in and to that portion of the Premises lying within the bounds of any public street or highway.

4.3 Covenants, restrictions and easements, if any, of record, provided they are not violated by the existing use of the Premises.

4.4 Standard exceptions contained in the form of fee title insurance policy issued by the title insurance company insuring Purchaser's title to the Premises.

4.5 Zoning, building, and other ordinances and regulations, if any, provided they are not violated by the existing use.

4.6 Special Condition. The Premises are being conveyed AS IS as part of the Cities Rise City of Binghamton City Homes program. As a result, this special condition applies to this transfer: The Premises must be occupied as the Purchaser's primary residence for not less than five (5) years from the date of transfer (the "Recapture Period"). If the Premises or any part thereof is sold, leased, the Purchaser fails to reside at the Premises as Purchaser's primary residence (not less than eleven (11) months per year), or otherwise transfers any interest in the Premises during the Recapture Period, or if Purchaser fails or refuses to provide information so Seller can verify compliance, then Purchaser will pay Seller the amount of FORTY ONE THOUSAND AND 00/100 (\$41,000), representing the difference between the grant funded investment to the Premises and the purchase price herein. Such payment will be made to Seller within ten (10) days from the date of written demand for same. In any action or proceeding to enforce this provision, the prevailing party will be entitled to the costs and expenses of such proceeding, including reasonable attorney's fees. This provision will survive the closing of title.

5. Adjustments. Water/Sewer and Taxes, if any, will be adjusted as of the Closing date.

6. Title to be Conveyed and Deed. The transfer shall be by a Quit Claim Deed. If Purchaser is unable to obtain title insurance insuring good and marketable title to the Premises, then Purchaser may cancel this Contract. Seller may, at its sole cost and expense and prior to closing, cure any title defects, including by way of title endorsement.

7. Closing, Transfer of Title and Construction. Transfer of title shall occur on or about **March 1, 2023 (60)** days from the date hereof. The closing will take place at City Hall, 38 Hawley Street, Binghamton, New York, at a mutually convenient time; or at a location in Broome County selected by the Mortgagee (i.e., a commercial lender).

8. Transfer Tax and Recording Fees. At the closing Purchaser shall deliver a check to the order of the recording officer of Broome County for the amount of the New York State and Broome County transfer tax, documentary stamps, if any. Purchaser shall pay all recording fees.

9. Broker. Seller and Purchaser represent to one another that no broker was involved in this transaction. The parties agree to indemnify and hold each other harmless against any and all costs and expenses, including reasonable attorney's fees, by any broker claiming that he/she represented the other party. This paragraph will survive the closing of title.

10. Risk of Loss. General Obligations Law Section 5-1311 establishes the risk of loss and obligation of the parties in the event of the destruction or taking by eminent domain of all or a portion of the Premises being conveyed prior to closing.

11. Compliance with Law. All notice or notices of violations of law, rules, statutes, ordinances, orders, requirements, etc. issued by any Federal, State or local government or agency thereof against or affecting the Premises at the date hereof, shall be complied with by the Seller and the Premises shall be conveyed free of the same. Upon request of the Purchaser, the Seller shall furnish the Purchaser with an authorization to make the necessary searches therefore.

12. Seller's Representations/Warranties. Seller has the right to enter into this Contract and consummate the transaction contemplated hereby without the consent of others. This sale was approved by City Council by Permanent Ordinance ___ - ___, dated _____. Seller makes no other representations.

13. Notices. All notices required or otherwise given under this Contract shall be deemed effective when received and shall be in writing, delivered, personally or by prepaid U.S. Certified Mail, return receipt requested, Federal Express, or similar overnight courier addressed as follows:

Seller: Corporation Counsel
City Hall, 38 Hawley Street
Binghamton, NY 13901

Purchaser: Sabrina Brooks
18 Jefferson Ave
Endicott, NY 13760

14. Miscellaneous.

14.1 This Contract shall not be binding or effective until duly executed and delivered by Seller and Purchaser.

14.2 This Contract shall not be recorded in the Clerk's Office in the County in which the property is located.

14.3 Neither this Contract nor any provision thereof may be waived, changed or canceled except in writing signed by the party to be charged.

14.4 Any and all disputes hereunder will be determined under the laws of the State of New York. Venue for any action will be Broome County, New York.

14.5 It is understood and agreed that all understandings and agreements heretofore had between the parties hereto are merged in this Contract, which alone fully and completely expresses their agreement with respect to the subject matter hereof.

IN WITNESS WHEREOF, this Contract has been duly executed by the parties hereto as of the day and year first above written.

SELLER: CITY OF BINGHAMTON

By: _____

Jared M. Kraham, Mayor

Dated: _____

PURCHASER:

Dated: _____

Dated: _____



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2022
GENERAL FUND AND CAPITAL BUDGET FOR
POLICE VEHICLES AND EQUIPMENT**

WHEREAS, the Chief of Police and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2022 General Fund and Capital budget for police vehicles and equipment in the amount of \$450,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on December 21, 2022.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2022 General Fund and Capital budget for police vehicles and equipment in the amount of \$450,000 as follows:

- (i) \$450,000 decrease expense budget line A3120.51000 (Per.Ser.)
- (ii) \$450,000 increase expense budget line A9950.59000 (Interfund Transfer)
- (iii) \$100,000 increase expense budget line H3120.550007 (Equip./Repair)
- (iv) \$350,000 increase expense budget line H3120.550026 (Police Vehicles)
- (v) \$450,000 increase revenue budget line H.45031 (Interfund Transfer)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds
are unencumbered and available

Chuck Shager, Comptroller



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

Date: December 21, 2022

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

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2022
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITIES BUDGET
TO CLOSE OUT CAPITAL FUNDS

WHEREAS, the City of Binghamton (the “City”) is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the “BJCJSTF”) with the Village of Johnson City (the “Village”); and

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the “JSB”) under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB is classified as an Enterprise Fund by NYS OSC; and

WHEREAS, the finance system is being modified to handle the accounting as an Enterprise Fund; and

WHEREAS, the JSB is requesting a budget amendment needed to close out the Capital Funds.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in 2022 BJCJSTF budget to close out the Capital Funds into Enterprise Funds as follows:

- (i) \$ 459,366.30 decrease expense budget line JF8130.559105 (Pro.Ser.)
- (ii) \$ 2,000.00 decrease expense budget line JF8130.559123 (Sec. Inf. L. Pump)
- (iii) \$ 461,366.30 decrease revenue budget line JF.45031 (Interfund Revenues)
- (iv) \$ 461,366.30 decrease revenue budget line J9950.59000 (Interfund Transfers)
- (v) \$ 461,366.30 increase expense budget line J8130.55000 (Contingency)
- (vi) \$ 80,000.00 decrease expense budget line JF8130.559105 (Pro.Ser.)
- (vii) \$ 80,000.00 decrease revenue budget line JF.45031 (Interfund Transfer)
- (viii) \$ 80,000.00 decrease revenue budget line J9950.59000 (Interfund Transfer)
- (ix) \$ 80,000.00 increase expense budget line J8130.54410 (Pro.Ser.)
- (x) \$ 17,696.55 decrease expense budget line JH8130.554008 (Training Rm/Offices)
- (xi) \$ 50,000.00 decrease expense budget line JH8130.554076 (TPS Pump Reb./Ref.)

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

Date: December 21, 2022

- (xii) \$ 7,992.00 decrease expense budget line JH8130.554077 (Volute Thickener Ovrhd Door)
- (xiii) \$ 10,000.00 decrease expense budget line JH8130.554084 (Labe Fume Hood/Canopy)
- (xiv) \$ 300,000.00 decrease expense budget line JH8130.554086 (Asset Mang.Plan)
- (xv) \$ 47,507.25 decrease expense budget line JH8130.559502 (Dn.Flygt.Pump)
- (xvi) \$ 433,195.80 decrease revenue budget line JH.45031 (Interfund Revenues)
- (xvii) \$ 433,195.80 decrease expense budget line J9950.59000 (Transfer to Capital)
- (xviii) \$ 433,195.80 increase revenue budget line J8130.55000 (Contingency)
- (xix) \$ 26,525.00 decrease expense budget line JH8130.554013 (Tps.Channel Grinder)
- (xx) \$ 150,000.00 decrease expense budget line JH8130.554039 (Pro.Ser.Capital Proj.)
- (xxi) \$ 59,626.89 decrease expense budget line JH8130.554040 (Cap. Conting.Fund)
- (xxii) \$ 499,805.17 decrease expense budget line JH8130.554045 (Digester 5yr Cyclical Cl)
- (xxiii) \$ 200,000.00 decrease expense budget line JH8130.554074 (Settling Tank Rehab.)
- (xxiv) \$ 100,000.00 decrease expense budget line JH8130.554078 (Head House Pump Rebuild/Refurb.)
- (xxv) \$ 48,816.00 decrease expense budget line JH8130.554080 (Flygt. Pump Rebuild/Refurb.)
- (xxvi) \$ 21,000.00 decrease expense budget line JH8130.554085 (Roll-Off Contain.)
- (xxvii) \$1,084,773.06 decrease revenue budget line JH.45031 (Interfund Revenues)
- (xxviii) \$1,084,773.06 decrease revenue budget line J9950.59000 (Interfund Transfers)
- (xxix) \$1,084,773.06 increase expense budget line J8130.55000 (Contingency)
- (xxx) \$ 3,024.98 decrease expense budget line JH8130.554005 (Safety)
- (xxxi) \$ 7,196.06 decrease expense budget line JH8130.554022 (Scada)
- (xxxii) \$ 30,000.00 decrease expense budget line JH8130.554062 (Scada Comp.Valves)
- (xxxiii) \$ 58,159.61 decrease expense budget line JH8130.554063 (Plant Outfall Dreg.)
- (xxxiv) \$ 181,730.40 decrease expense budget line JH8130.554064 (Rep.Vehicles)
- (xxxv) \$ 35,060.83 decrease expense budget line JH8130.554075 (Primary Grit Catcher)
- (xxxvi) \$ 20,000.00 decrease expense budget line JH8130.554079 (Methanol Hose Pump)
- (xxxvii) \$10,849.91 decrease expense budget line JH8130.554081 (Two Hotsy Heated Press Washers)
- (xxxviii) \$ 525.00 decrease expense budget line JH8130.554083 (New Servers)
- (xxxix) \$ 346,546.79 decrease revenue budget line JH8130.45031 (Interfund Transfer)
- (xl) \$ 346,546.79 decrease revenue budget line J9950.59000 (Interfund Transfers)
- (xli) \$ 3,024.98 increase expense budget line J8130.554005 (Safety)
- (xlii) \$ 37,196.06 increase expense budget line J8130.554009 (Scada)
- (xliii) \$ 181,730.40 increase expense budget line J8130.52100 (Vehicles)
- (xliv) \$ 20,000.00 increase expense budget line J8130.554079 (Methanol Hose Pump)
- (xlv) \$ 10,849.91 increase expense budget line JH8130.554081 (Two Hotsy Heated Press Washers)
- (xlvi) \$ 525.00 increase expense budget line J8130.52300 (Hardware Software)
- (xlvii) \$ 35,060.83 increase expense budget line J8130.554075 (Primary Grit Catcher)
- (xlviii) \$ 58,159.61 increase expense budget line J8130.554063 (Plant Outfall Dreg.)

Section 2. That this Ordinance shall be effective when also approved by sufficient members of the Board of Trustees of the Village.

I HEREBY CERTIFY that the above described funds are unencumbered and available

Chuck Shager, Comptroller/JSB Fiscal Officer