



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Giovanni Scaringi, Ph.D., City Council President*  
*Leighton Rogers, City Clerk*

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**COUNCIL OF THE CITY OF BINGHAMTON**  
**Business Meeting Agenda**  
**City Hall, 38 Hawley Street, Binghamton, NY 13901**  
**Tuesday, April 11, 2023**

**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 March 29, 2023 Business Meeting.

**City Council Finance Committee: Scanlon (Chair), Strawn, Friedman**

No items to report.

**City Council Planning & Community Dev. Committee: Resciniti (Chair), Scanlon, Friedman**

No items to report.

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

No items to report.

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

No items to report.

**City Council Employees Committee: Strawn (Chair), Resciniti, Burns**

No items to report.

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

No items to report.

**VI. APPROVAL OF APPOINTMENTS**

**VII. PUBLIC HEARING**

**VIII. SET PUBLIC HEARINGS**

**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.gov](mailto:clerk@cityofbinghamton.gov) or in-person during the meeting.



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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## X. REVIEW OF MAYORAL VETO

## XI. SECOND READING LEGISLATION

## XII. FIRST READING LEGISLATION

### A. PREFERRED AGENDA

#### **Introductory Ordinance 23-67. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Binghamton-Johnson City joint sewage treatment facilities budget for equipment, capital outlay and insurance recoveries

#### **Introductory Ordinance 23-72. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Parks & Recreation budget to defund a MEO position and fund a Groundskeeper position

#### **Introductory Ordinance 23-73. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 budget for partial demolition of the porch at 21 Dickinson Street

#### **Introductory Ordinance 23-74. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Fire budget to defund 8 first-grade firefighter positions and fund 8 probationary firefighter positions

### B. NON PREFERRED AGENDA

#### **Introductory Ordinance 23-68. Considered in Finance: Scanlon**

An Ordinance approving a transfer from the capital reserve parking garage for the Water Street Development Project

#### **Introductory Ordinance 23-69. Considered in Finance: Scanlon**

An Ordinance to account for lost revenue of \$500,000 per the American Rescue Plan Act guidelines

#### **Introductory Ordinance 23-70. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 General Fund to create the Commercial Façade Matching Grant Program

#### **Introductory Ordinance 23-71. Considered in Planning: Resciniti**

An Ordinance to amend Chapter 265, Housing and Property Maintenance, of the Code of the City of Binghamton to add a vacant property waiver fee

#### **Introductory Resolution 23-22. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Atlantic Testing Laboratories for vibration monitoring and condition services agreement for the Water Street Parking Garage



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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## **Introductory Resolution 23-23. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Atlantic Testing Laboratories for the special inspection agreement for the Water Street Parking Garage

## **Introductory Resolution 23-24. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with F.E. Jones Construction, Inc. for phase 2 PDL general construction at Mirabito Stadium

## **XIII. COMMUNICATIONS FROM COUNCIL MEMBERS**

## **XIV. ADJOURNMENT**



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

Date: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE TREATMENT FACILITIES BUDGET  
FOR EQUIPMENT, CAPITAL OUTLAY AND  
INSURANCE RECOVERIES

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 2023 BJCJSTF budget to increase the equipment and capital outlay in the amount of \$100,000, and increase the insurance recoveries in the amount of \$100,000.

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 2023 BJCJSTF budget to increase the equipment and capital outlay in the amount of \$100,000, and increase the insurance recoveries in the amount of \$100,000 as follows:

- (i) \$100,000 increase expense budget line ES8130.52000.CNBAF (Equip./Cap.Out.)
- (ii) \$100,000 increase revenue budget line ES.42680.CNBAF (Insurance Recoveries)

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: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023 PARKS  
& RECREATION BUDGET TO DEFUND A MEO  
POSITION AND FUND A GROUNDSKEEPER  
POSITION**

WHEREAS, the Commissioner of Parks & Recreation and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Parks & Recreation budget to defund a “MEO” position (\$22.60/hr) at an annual salary of \$47,008, and add a “Groundskeeper” position (\$23.75/hr) at an annual salary of \$49,400; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 11, 2023.

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 2023 Parks & Recreation budget to (i) defund a “MEO” position (\$22.60/hr) at an annual salary of \$47,008, (ii) add a “Groundskeeper” position (\$23.75/hr) at an annual salary of \$49,400; and (iii) fund the “Groundskeeper” position from April 15, 2023 to December 31, 2023 as follows:

Transfer From (Decrease):

\$37,064 A7110.51000 (Per.Ser.MEO)

Transfer To (Increase):

\$35,150 A7110.51000 (Per.Ser.  
Groundskeeper)

  1,914   A1990.55004 (Contingency)

\$37,064

Section 2. That this Ordinance shall take effect April 15, 2023.

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: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
BUDGET FOR PARTIAL DEMOLITION OF THE  
PORCH AT 21 DICKINSON STREET

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 budget for partial demolition of the porch at 21 Dickinson Street, Binghamton, New York, Tax Parcel No. 160.24-1-34, in the amount of \$7,500; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 11, 2023.

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 2023 budget for for partial demolition of the porch at 21 Dickinson Street in the amount of \$7,500 as follows:

- (i) \$7,500 increase revenue budget line H.42680 (Insurance Recoveries)
- (ii) \$7,500 increase expense budget line H1364.54470 (Demolition)

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: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2023 FIRE  
BUDGET TO DEFUND 8 FIRST-GRADE  
FIREFIGHTER POSITIONS AND FUND 8  
PROBATIONARY FIREFIGHTER POSITIONS**

WHEREAS, the Fire Chief and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Fire budget to defund 8 “First-Grade Firefighter” positions and add 8 “Probationary Firefighter” positions; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 11, 2023.

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 2023 Fire budget to defund 8 “First-Grade Firefighter” positions and add 8 “Probationary Firefighter” positions from April 16, 2023 to December 31, 2023 as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$ 17,719.65 A3410.51000 (Per.Ser.Dep.Fire Chief)	\$234,010.67 A3410.51000 (Per.Ser.Prob FF)
22,408.50 A3410.51000 (Per.Ser.FF)	239,625.00 A3410.51000 (Payouts)
38,672.55 A3410.51000 (Per.Ser.Fire LT)	8,000.00 A3410.54190 (Uniforms)
18,414.00 A3410.51000 (Per.Ser.Fire Cap.)	<u>9,000.00 A3410.51630 (Out of Title)</u>
<u>393,420.97 A3410.51000 (Per.Ser.FF G1)</u>	
\$490,635.67	\$490,635.67

Section 2. That this Ordinance shall take effect April 16, 2023.

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: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE APPROVING A TRANSFER  
FROM THE CAPITAL RESERVE PARKING  
GARAGE FOR THE WATER STREET  
DEVELOPMENT PROJECT**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to transfer \$6,300,000 from the Capital Reserve – Parking Garage (A.878B) for the Water Street Development Project; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 11, 2023.

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 transfer \$6,300,000 from the Capital Reserve – Parking Garage for the Water Street Development Project as follows:

- (i) \$6,300,000 increase expense budget line A9950.59000 (Transfer to Capital)
- (ii) \$6,300,000 increase revenue budget line A.49999 (Fund Balance)
- (iii) \$6,300,000 increase revenue budget line H.45031 (Interfund Transfer)
- (iv) \$6,300,000 increase expense budget line H5650.525272 (Water St. Parking Garage)

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: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO ACCOUNT FOR LOST  
REVENUE OF \$500,000 PER THE AMERICAN  
RESCUE PLAN ACT GUIDELINES**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to account for lost revenue of \$500,000 from American Rescue Plan Act (ARPA) funds per the American Rescue Plan Act Guidelines; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 11, 2023.

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 account for lost revenue of \$500,000 from ARPA funds in A.691 (Deferred Revenue).

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: April 11, 2023

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

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2023  
GENERAL FUND TO CREATE THE  
COMMERCIAL FAÇADE MATCHING GRANT  
PROGRAM

WHEREAS, the Director of Economic Development and the Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund to create the Commercial Façade Matching Grant Program in the amount of \$500,000; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on April 11, 2023.

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 2023 General Fund to create the Commercial Façade Matching Grant Program in the amount of \$500,000 as follows:

- (i) \$500,000 increase revenue budget line A.49999 (Fund Balance)
- (ii) \$500,000 increase expense budget line A6989.54135 (Facades)

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: April 11, 2023

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND CHAPTER 265,  
HOUSING AND PROPERTY MAINTENANCE,  
OF THE CODE OF THE CITY OF BINGHAMTON  
TO ADD A VACANT PROPERTY WAIVER FEE**

WHEREAS, the Council of the City of Binghamton wishes to amend the Code of the City of Binghamton, Chapter 265, *Housing and Property Maintenance*, §265-14, *Vacant Building Registry and Maintenance*, to add a vacant property waiver fee.

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*, §265-14, *Vacant Building Registry and Maintenance*, to add a vacant property waiver fee as follows:

§ 265-14. Vacant Building Registry and Maintenance. [Amended 8-15-1988 by Ord. No. 106-88; L.L. No. 1-1990; 4-16-07 by Ord. No. 07-10A; 7-2-07 by L.L. No. 3-2007; Amended by Local Law No. 22- 01; **Amended 4-11-2023 by Ord. No. \_\_\_\_\_** ]

C. Vacant Building Registration

(9) Vacant Building Registration Fees.

(b) If the building is to remain vacant pursuant to § 265-14.C.4(b) above, then the owner will also pay an annual vacant building fee (See Exhibit J) until the building is properly demolished or rehabilitated. The annual vacant building fee is due and payable together with the registration fee and on each anniversary thereafter until the building is demolished or rehabilitated. **See §265-14.C.9(g) below, for possible waiver of annual vacant building fee.**

(g) **If the building is to remain vacant pursuant to §265-14.C.4(b) above, the owner may have the annual vacant building fee (See Exhibit J) waived pursuant to a Certificate of Compliance being issued by a Code Officer at the discretion of the Vacant Property Officer. Certificate of Compliance inspection is to be scheduled prior to renewal of registration. Failure to schedule inspection prior to renewal date may lead to denial of waiver.**

Section 2. That this Ordinance shall take effect immediately.



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

Date: April 11, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
ATLANTIC TESTING LABORATORIES FOR  
VIBRATION MONITORING AND CONDITION  
SERVICES AGREEMENT FOR THE WATER  
STREET PARKING GARAGE

WHEREAS, the City Engineer and the Mayor of the City of Binghamton wishes to enter into an agreement with Atlantic Testing Laboratories for vibration monitoring and condition services agreement for the Water Street Parking Garage, in an amount not to exceed \$32,560.

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 hereby approves the above-subject Project; and be it further

RESOLVED 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 Atlantic Testing Laboratories for vibration monitoring and condition services agreement for the Water Street Parking Garage, in an amount not to exceed \$32,560; and that funds shall be deducted from budget line H5650.525080.22118 (Parking Ramps) 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: April 11, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
ATLANTIC TESTING LABORATORIES FOR  
THE SPECIAL INSPECTION AGREEMENT FOR  
THE WATER STREET PARKING GARAGE

WHEREAS, the City Engineer and the Mayor of the City of Binghamton wishes to enter into an agreement with Atlantic Testing Laboratories for the special inspection agreement for the Water Street Parking Garage, in an amount not to exceed \$108,575.

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 hereby approves the above-subject Project; and be it further

RESOLVED 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 Atlantic Testing Laboratories for the special inspection agreement for the Water Street Parking Garage, in an amount not to exceed \$108,575; and that funds shall be deducted from budget line H5650.525080.22118 (Parking Ramps) 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: April 11, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH F.E.  
JONES CONSTRUCTION, INC. FOR PHASE 2  
PDL GENERAL CONSTRUCTION AT  
MIRABITO STADIUM

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with F.E. Jones Construction, Inc. for Phase 2 PDL general construction at Mirabito Stadium, in an amount not to exceed \$406,286.

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 hereby approves the above-subject Project; and be it further

RESOLVED 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 F.E. Jones Construction, Inc. for Phase 2 PDL general construction at Mirabito Stadium, in an amount not to exceed \$406,286; and that funds shall be deducted from budget line H1310.525209.11921 (Mirabito Stadium Facility Improvements) for this purpose.

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

\_\_\_\_\_  
Chuck Shager, Comptroller