

**IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE  
HOME RULE REQUEST  
(Request by a Local Government for Enactment of a Special Law)**

To the Legislature:

Pursuant to Article IX of the Constitution, the City of Binghamton requests the enactment of ~~Senate~~ Assembly bill (no. S.5605),  
entitled “

**AN ACT TO AUTHORIZE THE CITY OF BINGHAMTON TO OFFER AN OPTIONAL TWENTY-FIVE YEAR RETIREMENT PLAN TO FIREFIGHTER SCOTT PAVLICK**

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

- The local government does not have the power to enact such legislation by local law.  
 Other facts, as set forth in the following “Explanation” establish such necessity.

**EXPLANATION**

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

- The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)  
 The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

**READ BEFORE SIGNING**

A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, *both* the chief executive officer *and* the clerk of the local legislative body must sign below. In such case use the word “majority” below even though the vote may have been greater.  
 B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, *only* the clerk of the local legislative body must sign below. In such case use the words “two-thirds” below.

**CHIEF EXECUTIVE OFFICER’S SIGNATURE**

(Signed).....  
(chief executive officer)

.....  
(Print or type name below signature)

Date:....., 20.....

.....  
(Title of chief executive officer)

**CLERK’S CERTIFICATION**

I, Janine Faulkner, do hereby certify that I am Clerk of the City Council  
(print or type name) (local legislative body)

..... of the City  
(county, city, town or village)

of Binghamton and that on the 24 day of April,  
(name)

2023 such legislative body, at least ~~a majority~~ two-thirds of the total membership having voted in favor thereof, approved the foregoing request.  
(strike out one)

(Signed).....  
(clerk)

Janine Faulkner  
(Print or type name below signature)

(SEAL OF LOCAL GOVERNMENT)

Date:.....5/1....., 2023

BAJ

THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: April 26, 2023

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

Introduced by Committee: Employees

**RESOLUTION***entitled*

A RESOLUTION AUTHORIZING A HOME  
RULE REQUEST TO AUTHORIZE THE CITY OF  
BINGHAMTON TO OFFER AN OPTIONAL  
TWENTY-FIVE YEAR RETIREMENT PLAN TO  
FIREFIGHTER SCOTT PAVLICK

WHEREAS, Assembly Bill A.5762 and Senate Bill S.5605 have been introduced into the New York State Assembly and Senate respectively, for the authority to allow for the enrollment of a firefighter who failed to make a timely application to participate in such optional twenty-five year retirement plan; and

WHEREAS, Scott Pavlick may elect to be covered by the provisions of section 384 of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section.

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

RESOLVE that the City of Binghamton hereby urges and approves the adoption and passage of said Assembly Bill A.5762 and Senate Bill S.5605 entitled, "An Act to authorize the City of Binghamton to offer an optional twenty-five year retirement plan to firefighter Scott Pavlick" and hereby declares that a necessity exists for the passage of such bill and that the local Legislative Body of the City of Binghamton does not have the power to enact such Legislation by Local Law; and be it further

RESOLVED that a Home Rule Request be submitted to the Assembly and Senate of the New York State Legislature indicating the necessity exists for the enactment of said Legislation.