



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Giovanni Scaringi, Ph.D., City Council President
Janine Faulkner, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON
Business Meeting Agenda
City Hall, 38 Hawley Street, Binghamton, NY 13901
Wednesday, July 12, 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 June 28, 2023 Business Meeting and the July 5, 2023 Special 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



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prior to 1:00pm on the day of the meeting to clerk@cityofbinghamton.gov or in-person during the meeting.

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION

Introductory Ordinance 23-92. Considered in Planning: Resciniti

An Ordinance authorizing the Mayor to submit the FY49 Annual Action Plan and accept any and all funds allocated by the US Department of Housing and Urban Development from the CDBG, ESG, and HOME Entitlement Programs

XII. FIRST READING LEGISLATION

A. PREFERRED AGENDA

Introductory Ordinance 23-95. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Binghamton-Johnson City Joint Sewage Treatment Facilities budget for health insurance

Introductory Ordinance 23-96. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Binghamton-Johnson City Joint Sewage Treatment Facilities budget to defund an Operator I position and fund an Operator II position

Introductory Ordinance 23-97. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Parks and Recreation budget for band concerts and movies in the park

Introductory Ordinance 23-98. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Refuse fund budget for salary adjustments

Introductory Ordinance 23-99. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Capital Fund budget to close bond and grant lines that are no longer active

Introductory Ordinance 23-101. Considered in Finance: Scanlon

An Ordinance to void Permanent Ordinance 22-189 regarding the sale of 92 Park Avenue to Sabrina Brooks

Introductory Ordinance 23-104. Considered in Finance: Scanlon

An Ordinance to allocate ARPA funds for contractual obligations of the Teamsters contract

Introductory Ordinance 23-106. Considered in Finance: Scanlon

An Ordinance to amend the 2023 General fund and Parks and Recreation budget to fund emergency repairs at the Parks Department Maintenance Garage



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Introductory Resolution 23-48. Considered in Finance: Scanlon

A Resolution authorizing the Binghamton-Johnson City Joint Sewage Treatment Facility to enter into an agreement with Ramboll Americas Engineering Solutions for Engineering Services

Introductory Resolution 23-49. Considered in Finance: Scanlon

A Resolution authorizing the City of Binghamton to apply for a Brownfield Opportunity Area Grant from the New York State Department State

Introductory Resolution 23-50. Considered in Finance: Scanlon

A Resolution authorizing the City of Binghamton to apply for a New York Main Street Grant from the New York State Homes and Community Renewal

Introductory Resolution 23-53. Considered in Finance: Scanlon

A Resolution authorizing the City of Binghamton to extend the Municipal Cooperation Agreement for Fire Prevention for Broome/Tioga BOCES

B. NON PREFERRED AGENDA

Introductory Ordinance 23-94. Considered in Finance: Scanlon

An Ordinance authorizing the sale of 41 Grand Street to Kerry J. Warner for \$500

Introductory Ordinance 23-100. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Central Services budget for Professional Services

Introductory Ordinance 23-102. Considered in Finance: Scanlon

An Ordinance authorizing the sale of 92 Park Avenue to Erica Farber for \$55,000

Introductory Ordinance 23-103. Considered in Finance: Scanlon

An Ordinance to amend the 2023 Police and Corporation Counsel budgets for Legal Services

Introductory Ordinance 23-105. Considered in Finance: Scanlon

An Ordinance authorizing the sale of 76 Glenwood Avenue to Brianna Torres for \$500

Introductory Ordinance 23-107. Considered in Finance: Scanlon

An Ordinance to allocate ARPA funds for the design of the Henry Street Reconstruction project

Introductory Resolution 23-51. Considered in Finance: Scanlon

A Resolution authorizing the City of Binghamton to enter into one or more agreements to provide support for payment of debt services

Introductory Resolution 23-52. Considered in Finance: Scanlon

A Resolution authorizing the Mayor to enter into an agreement with McFarland-Johnson, Inc. for the design of the Henry Street Reconstruction Project



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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Janine Faulkner, City Clerk

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

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

XIV. ADJOURNMENT

BNL

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: June 28, 2023

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

Introduced by Committee: Planning

ORDINANCE*entitled*

AN ORDINANCE AUTHORIZING THE MAYOR
TO SUBMIT THE FY49 ANNUAL ACTION
PLAN AND ACCEPT ANY AND ALL FUNDS
ALLOCATED BY THE U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
FROM THE CDBG, ESG, AND HOME
ENTITLEMENT PROGRAMS

WHEREAS, the City of Binghamton receives funding through the U.S. Department of Housing & Urban Development (HUD) under the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) and Emergency Solutions Grants (ESG) programs; and

WHEREAS, the Annual Action Plan includes \$1,784,157 in CDBG Entitlement Funds, \$550,000 in CDBG Program Income, \$586,507 in HOME Entitlement Funds, \$65,000 in HOME Program Income, and \$162,492 in ESG Entitlement Funds; and

WHEREAS, the proposed budget was approved by the Board of Estimate and Apportionment on June 28, 2023; and

WHEREAS, an application on behalf of the City of Binghamton to HUD for the Fiscal Year 49 entitlement is due to be submitted to HUD on or before July 15, 2023, covering the Fiscal Year 49 period of September 1, 2023-August 31, 2024; and

WHEREAS, the City of Binghamton wishes to submit the Fiscal Year 49 Annual Action Plan to HUD and to accept any and all funds that are rewarded.

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

Section 1. That the Council does hereby approve and authorize the Mayor of the City of Binghamton, or his designee, to submit Fiscal Year 49 Annual Action Plan in accordance with the attached budget and to accept any and all funds that are awarded by HUD under the CDBG, HOME and ESG Programs.

Section 2. That this Ordinance shall take effect immediately.

COMMUNITY DEVELOPMENT BLOCK GRANT SUMMARY

Revenues		
CD.44910.CDY49	Federal Aid - Comm Dev Act	1,784,157.00
CD.42170.CDY49	Community Development Income	550,000.00
		\$ 2,334,157.00
Expenses		
CD6889	Economic Development	349,000.00
CD7310	Youth Programming	159,975.00
CD8662	Public Infrastructure	500,000.00
CD8664	Code Enforcement	234,000.00
CD8666	Demolition	300,000.00
CD8668	Housing / Rehab	496,849.30
CD8676	Human Services	141,007.70
CD8684	Planning	24,000.00
CD8686	Administration	129,325.00
		\$ 2,334,157.00

2024 Proposed Budget

DESCRIPTION	Expended In 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
COMMUNITY DEVELOPMENT						
CD.42170.CDY49	COMMUNITY DEVELOPMENT INCOME	0.00	0.00	0.00	-550,000.00	0.00
CD.44910.CDY49	FED AID -COMMUNITY DEV ACT	0.00	0.00	0.00	-1,784,157.00	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	(\$2,334,157.00)	\$0.00

2024 Proposed Budget

DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
ECONOMIC DEVELOPMENT						
CD6889.54000.CDY49						
CONTRACTUAL						
Salaries - 1.00 @ 99,000.00	0.00	0.00	0.00	0.00	349,000.00	0.00
Projects - 1.00 @ 250,000.00						
TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$349,000.00	\$0.00

2024 Proposed Budget

CD7310.533516.CDY49	YOUTH PROGRAMMING	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
	ACHIEVE - 1.00 @ 10,000.00	0.00	0.00	0.00	0.00	159,975.00	0.00
	Binghamton Housing Authority - 1.00 @ 15,000.00						
	Boys & Girls Club - After Hours - 1.00 @ 50,000.00						
	Boys & Girls Club - Teen Center - 1.00 @ 20,000.00						
	Boys & Girls Club - Summer - 1.00 @ 19,975.00						
	Broome County Urban League - After school program - 1.00 @ 15,000.00						
	CARES - Backpacks - 1.00 @ 15,000.00						
	VINES - Grow Binghamton - 1.00 @ 15,000.00						
CD7310.533536.CDY49	YOUTH CAPITAL PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
	TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$159,975.00	\$0.00

2024 Proposed Budget

DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD PUBLIC INFRASTRUCTURE						
CD8662.533506.CDY49 PUBLIC INFRASTRUCTURE	0.00	0.00	0.00	0.00	250,000.00	0.00
Mill & Pave: Liberty St (Robinson to Frederick) - 1.00 @ 250,000.00						
Mill & Pave: Pleasant Ave (Pleasant to Truesdell) - 0.00 @ 0.00						
Mill & Pave: Pleasant St (Chenango to End) - 0.00 @ 0.00						
CD8662.533507.CDY49 PARKS IMPROVEMENTS	0.00	0.00	0.00	0.00	100,000.00	0.00
Rec Park Poolhouse - 1.00 @ 100,000.00						
CD8662.533549.CDY49 CAPITAL PROGRAM SET ASIDE	0.00	0.00	0.00	0.00	150,000.00	0.00
Roberson Museum - Energy Efficiency - 1.00 @ 12,000.00						
SEPP - Hamilton House Parking - 1.00 @ 20,000.00						
Tubman Center - Freedom Trail - 1.00 @ 100,000.00						
First Ward Senior Center - Upgrades - 1.00 @ 18,000.00						
TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00

2024 Proposed Budget

CD CODE ENFORCEMENT	DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD8664.53010.CDY49	CODE ENFORCEMENT SERVICES	0.00	0.00	0.00	0.00	234,000.00	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	\$0.00	\$234,000.00	\$0.00

2024 Proposed Budget

	DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD DEMOLITION							
CD8666.533508.CDY49	DEMOLITION	0.00	0.00	0.00	0.00	300,000.00	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	\$0.00	\$300,000.00	\$0.00

2024 Proposed Budget

DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD HOUSING/REHAB						
CD8668.533509.CDY49	0.00	0.00	0.00	0.00	320,000.00	0.00
<i>Homeownership/Rehab - 1.00 @ 300,000.00</i>						
<i>Broome County Council of Churches - Ramps - 1.00 @ 20,000.00</i>						
CD8668.533526.CDY49	0.00	0.00	0.00	0.00	5,000.00	0.00
<i>LEAD RISK ASSESSMENT</i>						
CD8668.533529.CDY49	0.00	0.00	0.00	0.00	66,849.30	0.00
<i>HOUSING SERVICES</i>						
CD8668.533530.CDY49	0.00	0.00	0.00	0.00	20,000.00	0.00
<i>BING HOMEOWNERSHIP ACADEMY</i>						
CD8668.533531.CDY49	0.00	0.00	0.00	0.00	85,000.00	0.00
<i>SENIOR REPAIR PROGRAM</i>						
TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$496,849.30	\$0.00

2024 Proposed Budget

DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD HUMAN SERVICES						
CD8676.533515.CDY49 HUMAN SERVICES	0.00	0.00	0.00	0.00	75,760.00	0.00
Action for Older Persons - 1.00 @ 15,000.00						
American Civic Association - 1.00 @ 10,000.00						
Binghamton Adult Education - 1.00 @ 12,000.00						
Broome City Urban League - ATTAIN Lab - 1.00 @ 8,760.00						
Mothers & Babies - 1.00 @ 15,000.00						
NoMa Community Center - 1.00 @ 15,000.00						
CD8676.533554.CDY49 PUBLIC SERVICE / PARK RANGERS	0.00	0.00	0.00	0.00	10,247.70	0.00
CD8676.533555.CDY49 OPIOID ADDICTION RECOVERY	0.00	0.00	0.00	0.00	55,000.00	0.00
TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$141,007.70	\$0.00

2024 Proposed Budget

	DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD PLANNING							
CD8684.533532.CDY49	PLANNING SERVICES	0.00	0.00	0.00	0.00	17,000.00	0.00
CD8684.54448.CDY49	GIS SERVICES	0.00	0.00	0.00	0.00	7,000.00	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	\$0.00	\$24,000.00	\$0.00

2024 Proposed Budget

CD ADMINISTRATION	DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CD8686.533528.CDY49	ADMIN SERVICES Salaries - 1.00 @ 92,000.00	0.00	0.00	0.00	0.00	112,000.00	0.00
CD8686.54412.CDY49	BOARD MEMBER SERVICES Professional Services - 1.00 @ 20,000.00	0.00	0.00	0.00	0.00	6,325.00	0.00
CD8686.54425.CDY49	AUDITING & FINANCIAL SVCS	0.00	0.00	0.00	0.00	11,000.00	0.00
CD8686.54755.CDY49	FAIR HOUSING EDUCATION	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	\$0.00	\$129,325.00	\$0.00

HOME FUND SUMMARY

Revenues		
CE.44989.CEY49	Fed Aid – Other Home & Comm Svcs	\$586,507.00
CE.42170.CEY49	Community Development Income	<u>\$ 65,000.00</u>
		\$651,507.00
Expenses		
CE8686	Home Rehabilitation	240,150.70
CE8669	Home CHDO	<u>411,356.30</u>
		\$651,507.00

2024 Proposed Budget

HOME	DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CE.42170.CEY49	COMMUNITY DEVELOPMENT INCOME	0.00	0.00	0.00	0.00	-65,000.00	0.00
CE.44989.CDY49	FED AID -OTHER HOME&COMM SVCS	0.00	0.00	0.00	0.00	-586,507.00	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	\$0.00	(\$651,507.00)	\$0.00

2024 Proposed Budget

DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
HOME REHABILITATION						
CE8668.533528.CEY49 ADMIN SERVICES	0.00	0.00	0.00	0.00	65,150.70	0.00
CE8668.533800.CEY49 REHAB	0.00	0.00	0.00	0.00	175,000.00	0.00
TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$240,150.70	\$0.00

2024 Proposed Budget

HOME CHDO		Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CE8689.533802.CEY49	CHDO						
		0.00	0.00	0.00	0.00	411,356.30	0.00
TOTAL FOR DEPARTMENT		\$0.00	\$0.00	\$0.00	\$0.00	\$411,356.30	\$0.00

**EMERGENCY SOLUTIONS GRANT
FUND SUMMARY**

<i>Revenues</i>		
CG.44989.CGY49	Fed Aid – Other Home & Comm Svcs	<u>162,492.00</u>
		\$ 162,492.00
<i>Expenses</i>		
CG6142	Emergency Solutions Grant	<u>162,492.00</u>
		\$ 162,492.00

2024 Proposed Budget

ESG	DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
CG.44910.CGY49	FED AID -COMMUNITY DEV ACT	0.00	0.00	0.00	0.00	-162,492.00	0.00
	TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	(\$162,492.00)	\$0.00

2024 Proposed Budget

DESCRIPTION	Expended in 2022	2023 Adopted Budget	2023 Adjusted Budget	Encumbered or Expended Thru 05/26/2023	2024 Proposed Budget	2024 Adopted Budget
EMERGENCY SOLUTIONS GRANT						
CG6142.533550.CG49 ESG - PROGRAM FUNDS	0.00	0.00	0.00	0.00	162,492.00	0.00
HMIS Fee - 1.00 @ 1,720.00						
YMCA Shelter Salaries - 1.00 @ 45,578.55						
Catholic Charities - TTLP Salaries - 1.00 @ 30,311.00						
YWCA Street Outreach Salaries - 1.00 @ 14,243.30						
VOA Shelter Salaries - 1.00 @ 6,330.35						
FEN Caring Homes - 1.00 @ 64,308.80						
TOTAL FOR DEPARTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$162,492.00	\$0.00



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

Date: July 12, 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 HEALTH INSURANCE

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 amend Health Insurance.

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 2023 BJCJSTF budget to amend Health Insurance as follows:

Transfer From (Decrease):

\$100,000.00 ES8130.51000.JS2HR (Per.Svcs.)

Transfer To (Increase):

\$100,000.00 ES9060.58000C.JS2HR(Health Ins.)

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: July 12, 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
TO DEFUND OPERATOR I POSITION AND
FUND AN OPERATOR II POSITION

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 defund an Operator I position, and to fund an Operator II position at an annual salary of \$59,425.60.

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 2023 BJCJSTF budget to defund an Operator I position, and to fund an Operator II position at an annual salary of \$59,425.60 from July 15, 2023 through December 31, 2023 as follows:

Transfer From (Decrease):

\$2,124 ES8130.55000 (Contingency)

Transfer To (Increase):

\$1,769 ES8130.51000.JS2HR (Per.Ser.Hrly)
166 ES9010.58000A.JS2HR (Ret.Hrly)
136 ES9030.58000B.JS2HR (SS.Hrly)
 53 ES9040.58000D.JS2HR (W/C.Hrly)

\$2,124

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: July 12, 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 FOR BAND
CONCERTS AND MOVIES IN THE PARK**

WHEREAS, the Director of Parks & Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Parks & Recreation budget for band concerts and movies in the park in the amount of \$4,000.00; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 for band concerts and movies in the park in the amount of \$4,000.00 as follows:

Transfer From (Decrease):

\$4,000.00 A7310.54161 (Athletic Supplies)

Transfer To (Increase):

\$4,000.00 A7020.54731 (Band Concerts)

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: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2023
REFUSE FUND BUDGET FOR SALARY
ADJUSTMENTS**

WHEREAS, the Executive Assistant to the Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Refuse budget for employee benefits in the amount of \$50,000.00; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 Refuse budget for employee benefits in the amount of \$50,000.00 as follows:

Transfer From (Decrease):

\$50,000.00 CL8160.51000 (Per.Svcs.St.Maint)

Transfer To (Increase):

\$50,000.00 CL9089.58000 (Empl.Benefits)

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: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2023
CAPITAL FUND BUDGET TO CLOSE BOND
AND GRANT LINES THAT ARE NO LONGER
ACTIVE

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2023 Capital Fund budget to close bond and grant lines that are no longer active; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 Capital Fund budget to close bond lines that are no longer active as follows:

- (i) \$ 2,833.75 decrease expense budget line H7110.525281.12220 (Parks Garage Roof)
- (ii) \$ 72,066.18 decrease expense budget line H5120.525261.22118 (Bridge-Conklin Ave./ Pierce Creek)
- (iii) \$202,486.27 decrease expense budget line H5120.525262.22118 (Bridge-Beldin St./ Pierce Creek)
- (iv) \$ 1,650.00 decrease expense budget line H8745.525157.22118 (Flood Wall Proj.)
- (v) \$279,036.20 decrease revenue budget line H.45710 (Serial Bonds)

Section 2. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2023 Capital Fund budget to close grant lines that are no longer active as follows:

- (i) \$ 2,617.03 decrease expense budget line H7145.555555.M0005 (DASNY-Stadium 1)
- (ii) \$ 2,617.03 decrease revenue budget line H.43089.M0005 (State Aid-DASNY-Stadium 1)
- (iii) \$ 4,121.66 decrease expense budget line H7145.555555.M0006 (DASNY-Stadium 2)
- (iv) \$ 4,121.66 decrease revenue budget line H.43089.M0006 (State Aid-DASNY-Stadium 2)
- (v) \$ 1,717.11 decrease expense budget line H3120.555555.P0061 (2017 Tactical Team Grant)
- (vi) \$ 1,717.11 decrease revenue budget line H.44389.P0061 (Fed.Aid-2017 Tac.Team)

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

Date: July 12, 2023

- (vii) \$ 12,287.92 decrease expense budget line H3120.555555.P0038 (NYS DCJS-CAC)
- (viii) \$ 12,287.92 decrease revenue budget line H.43389.P0038 (State Aid-CAC)
- (ix) \$ 35,000.00 decrease expense budget line H3120.555555.P0039 (Warrant/Gank Jt
Task Force)
- (x) \$ 35,000.00 decrease revenue budget line H.44389.P0039 (Fed.Aid-Public Safety)
- (xi) \$ 15,000.00 decrease expense budget line H3120.555555.P0040 (Drug Enforcement
Task Force)
- (xii) \$ 15,000.00 decrease revenue budget line H.44389.P0040 (Fed.Aid-Public Safety)
- (xiii) \$117,466.94 decrease revenue budget line H.44389 (Fed.Aid-Public Safety)
- (xiv) \$207,533.06 decrease revenue budget line H.44989 (Fed.Aid-Home/Comm.Svs.)
- (xv) \$325,000.00 increase revenue budget line H.44389.P0011 (Homeland Sec. SUASP)
- (xvi) \$ 7,232.10 decrease revenue budget line H.44389.P0011 (Homeland Sec. SUASP)
- (xvii) \$ 7,232.10 decrease expense budget line H3120.555555.P0011 (Homeland Sec.
SUASP Grant)

Section 3. 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: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO VOID PERMANENT
ORDINANCE 22-189 REGARDING THE SALE
OF 92 PARK AVENUE TO SABRINA BROOKS**

WHEREAS, pursuant to Permanent Ordinance 22-189, dated December 21, 2022, City Council authorized the sale of 92 Park Avenue, Binghamton, New York, Tax Parcel 176.24-2-23 to Sabrina Brooks for \$65,000; and

WHEREAS, the City wishes to void Permanent Ordinance 22-189 due to the sale of property not being completed.

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

Section 1. That Permanent Ordinance 22-189 is hereby declared null and void.

Section 2. That this Ordinance shall take effect immediately.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO ALLOCATE AMERICAN
RESCUE PLAN ACT FUNDS FOR
CONTRACTUAL OBLIGATIONS OF THE
TEAMSTERS CONTRACT**

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to allocate American Rescue Plan Act (ARPA) funds in the amount of \$93,355.25 for retaining employees based on the Teamsters Contract; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 allocate ARPA funds in the amount of \$93,355.25 for retaining employees based on the Teamsters Contract as follows:

- (i) \$64,325.00 increase revenue budget line A.44089.F0015 (Fed.Aid.-ARPA)
- (ii) \$14,118.00 increase revenue budget line CL.45031.F0015 (Interfund Transfer)
- (iii) \$10,794.25 increase revenue budget line FX.45031.F0015 (Interfund Transfer)
- (iv) \$ 4,117.75 increase revenue budget line G.45031.F0015 (Interfund Transfer)
- (v) \$29,030.00 increase expense budget line A9950.59000.F0015 (Interfund Transfer)
- (vi) \$ 1,500.00 increase expense budget line A1620.51000.F0015 (City Hall Wages-ARPA)
- (vii) \$ 3,000.00 increase expense budget line A1640.51000.F0015 (Central Garage-ARPA)
- (viii) \$ 5,000.00 increase expense budget line A1650.51000.F0015 (Combine Shops-ARPA)
- (ix) \$ 500.00 increase expense budget line A1660.51000.F0015 (Central Services Wages- ARPA)
- (x) \$ 500.00 increase expense budget line A3120.51000.F0015 (Police Wages-ARPA)
- (xi) \$ 9,500.00 increase expense budget line A5110.51000.F0015 (Road Wages-ARPA)
- (xii) \$10,000.00 increase expense budget line A7110.51000.F0015 (Parks Wages-ARPA)
- (xiii) \$ 2,295.00 increase expense budget line A9030.58000B.F0015 (Soc.Sec.-ARPA)
- (xiv) \$ 3,000.00 increase expense budget line A9010.58000A.F0015 (Ret.-ARPA)
- (xv) \$12,000.00 increase expense budget line CL8160.51000.F0015 (Refuse Wages-ARPA)

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

Date: July 12, 2023

- (xvi) \$ 918.00 increase expense budget line CL9030.58000B.F0015 (Soc.Sec.-ARPA)
- (xvii) \$ 1,200.00 increase expense budget line CL9010.58000A.F0015 (Ret.-ARPA)
- (xviii) \$ 5,500.00 increase expense budget line FX8330.51000.F0015 (Water Wages-ARPA)
- (xix) \$ 4,500.00 increase expense budget line FX8340.51000.F0015 (Water Wages-ARPA)
- (xx) \$ 344.25 increase expense budget line FX9030.58000B.F0015 (Soc.Sec.-ARPA)
- (xxi) \$ 450.00 increase expense budget line FX9010.58000A.F0015 (Ret.-ARPA)
- (xxii) \$ 3,500.00 increase expense budget line G8120.51000.F0015 (Sewer Wages-ARPA)
- (xxiii) \$ 267.75 increase expense budget line G9030.58000B.F0015 (Soc.Sec.-ARPA)
- (xxiv) \$ 350.00 increase expense budget line G9010.58000A.F0015 (Ret.-ARPA)

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: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2023
GENERAL FUND AND PARKS & RECREATION
BUDGET AND TO FUND EMERGENCY
REPAIRS AT THE PARKS DEPARTMENT
MAINTENANCE GARAGE

WHEREAS, the Director of Parks & Recreation and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 General Fund and Parks & Recreation budget for emergency repairs at the Parks Department Maintenance Garage in the amount of \$100,000.00; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 and Parks & Recreation budget in the amount of \$100,000.00 as follows:

- (i) \$ 25,000.00 decrease expense budget line H7110.525227 (FIBAR)
- (ii) \$ 75,000.00 increase budget line A.49999 (Fund Balance)
- (iii) \$ 75,000.00 increase expense budget line A9950.590000 (Transfer to Capital)
- (iv) \$ 75,000.00 increase revenue budget line H.45031 (Interfund Transfer)
- (v) \$100,000.00 increase expense budget line H7110.525288 (Parks Garage Impr.)

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: July 12, 2023

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITY TO ENTER
INTO AN AGREEMENT WITH RAMBOLL
AMERICAS ENGINEERING SOLUTIONS FOR
ENGINEERING SERVICES

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 a Resolution authorizing the BJCJSTF to enter into an agreement with Ramboll Americas Engineering Solutions for an evaluation of the existing digester gas microturbine 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 an agreement, approved as to form and content by the Office of Corporation Counsel, with Ramboll Americas Engineering Solutions for an evaluation of the existing digester gas microturbine at the BJCJSTF in amount not to exceed \$7,000; and that funds will be available in budget line ES8130.54410 (Professional Services) for this purpose; and be it further

RESOLVED, that this Resolution 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: July 12, 2023

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE CITY OF
BINGHAMTON TO APPLY FOR A
BROWNFIELD OPPORTUNITY AREA GRANT
FROM THE NEW YORK STATE DEPARTMENT
OF STATE

WHEREAS, the City of Binghamton is eligible for the Brownfield Opportunity Area (BOA) grant from the New York State Department of State in the amount of \$500,000 to be used for eligible pre-development activities in the First Ward BOA; and

WHEREAS, the City of Binghamton (the "Applicant"), after thorough consideration, has hereby determined that certain work, as described in its application and attachments (the "Project"), is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (the "Contract"); and

WHEREAS, the Applicant deems it to be in the public interest and benefit to enter into a contract therewith; and

WHEREAS, the Grant requires a local match of \$50,000 from the 2024 budget; the grant funds will be reimbursable, and the Grant will be administered by the Director of Economic Development or his designee; and the estimated date of completion will be December 2024.

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 execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to apply for the Brownfield Opportunity Area (BOA) grant from the New York State Department of State in the amount of \$500,000.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE CITY OF
BINGHAMTON TO APPLY FOR A NEW YORK
MAIN STREET GRANT FROM THE NEW YORK
STATE HOMES AND COMMUNITY RENEWAL

WHEREAS, the City of Binghamton is eligible for the New York Main Street (NYMS) grant from the New York State Homes and Community Renewal in the amount of \$500,000 to be used for traditional NYMS target area building renovation projects; and

WHEREAS, the City of Binghamton desires to apply for \$500,000 in financial assistance through the 2023 Consolidated Funding Application (CFA) under the NYMS program; and

WHEREAS, the funding assists the owners of multiple private properties in completing building renovations in the newly established Downtown Arts District; and

WHEREAS, the funding contributes to ongoing community revitalization efforts; and

WHEREAS, the Grant requires no City match; the grant funds will be reimbursable, and the Grant will be administered by the Director of Economic Development or his/her designee; and the estimated date of completion will be December 2025.

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 execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to apply for the New York Main Street grant from the New York State Homes and Community Renewal in the amount of \$500,000.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE CITY OF
BINGHAMTON TO EXTEND THE MUNICIPAL
COOPERATION AGREEMENT FOR FIRE
PREVENTION FOR BROOME/TIOGA BOCES

WHEREAS, pursuant to Permanent Resolution 18-56, dated May 23, 2018, City Council entered into a Municipal Cooperation Agreement with Broome/Tioga BOCES for fire protection services at the facility located at 435 Glenwood Road; and

WHEREAS, the agreement expired June 30, 2023; and

WHEREAS, the Fire Chief and Comptroller of the City of Binghamton wishes to extend the Municipal Cooperation Agreement with Broome/Tioga BOCES for one (1) year, until June 30, 2024, with the option to renew for an additional four (4) years.

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 extend the Municipal Cooperation Agreement, approved as to form and content by the Office of Corporation Counsel, with Broome/Tioga BOCES for fire prevention services for one (1) year, with the option to renew for an additional four (4) years at an annual fee of \$30,000.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
41 GRAND STREET TO KERRY J. WARNER
FOR \$500**

WHEREAS, the City of Binghamton is the owner of certain real property located at 41 Grand Street, Binghamton, New York, Tax Parcel No. 160.60-3-54 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises from Kerry J. Warner (the "Applicant") for \$500 as part of the City's side lot program; and

WHEREAS, the City has no public use for the Premises; and

WHEREAS, the Assessor of the City of Binghamton has determined that the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on July 12, 2023.

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, or his designee, 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 Kerry J. Warner, by Quitclaim Deed for \$500 to be paid by cash, certified check, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the Premises may only be used as green space and (ii) the Premises must be merged with the Applicants' adjacent properties located at 43-45 Grand Street, Binghamton, New York, Tax Parcel No. 160.60-3-53, within one year of the date of this legislation.

Section 3. That this Ordinance shall take effect immediately.

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

Project Number: None

PDate: July 12, 2023

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 City-owned real property at 41 Grand St.

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Sale of 41 Grand Street for use as residential green space.

Location: 41 Grand St, Binghamton, Broome County, New York

Reasons Supporting This Determination:

The proposed action is the sale of vacant real property to a private entity for use as residential green space.

The lead agency has reviewed an Environmental Assessment Form and the criteria contained in 6 NYCRR 617.7 (c) to identify the relevant areas of environmental concern, thoroughly analyzed the identified relevant areas of environmental concern, and determined that the action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

For Further Information

Contact Person: Giovanni Scaringi, Ph.D., President
 City of Binghamton City Council

Address: City Hall
 38 Hawley Street
 Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)

SEQRA

Chair of Finance Committee:

The following SEQRA motions are in reference to the legislation before us, Introductory Ordinance 23-94, “An Ordinance authorizing the sale of 41 Grand Street to Kerry J. Warner for \$500.00”

1. I make a Motion to declare City Council as “Lead Agency” under SEQRA.

Motion made by _____,

Seconded by _____,

Voice vote

2. I make a Motion to identify the proposed action as “Unlisted” under SEQRA.

Motion made by _____,

Seconded by _____,

Voice vote

3. I make a Motion to issue a negative declaration under SEQRA for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources, and the site was found to have no historical significance by the Commission on Architecture & Urban Design.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

Motion made by _____,

Seconded by _____,

Roll call vote

After SEQRA: Introduce & approve the legislation, roll call vote.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2023
CENTRAL SERVICES BUDGET FOR
PROFESSIONAL SERVICES**

WHEREAS, the Purchasing Agent and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Central Services budget for professional services in the amount of \$86,260.37; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 Central Services budget for professional services in the amount of \$86,260.37 as follows:

Transfer From (Decrease):

\$33,086.00 A1660.51000 (Per.Ser.Storekeeper)
28,950.25 A1660.51000 (Per.Ser.Storekeeper)
2,476.00 A1660.51000 (Per.Ser.Longevity)
4,935.18 A9030.58000B (Social Security)
7,741.47 A9010.58000A (State Retirement)
1,935.37 A9040.58000D (Workers Comp.)
7,136.10 A9060.58000C (Health Insurance)

\$86,260.37

Transfer To (Increase):

\$86,260.37 A1660.54410 (Prof.Ser.)

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: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
92 PARK AVENUE TO ERICA FARBER FOR
\$55,000**

WHEREAS, the City of Binghamton is the owner of certain real property located at 92 Park Avenue, Binghamton, New York, Tax Parcel No. 176.24-2-23 (the "Premises"); and

WHEREAS, pursuant to Permanent Resolution 20-03, dated February 5, 2020, City Council approved to receive a 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 July 12, 2023.

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 Erica Farber, by Quitclaim Deed for \$55,000 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.

Contract of Sale

THIS CONTRACT OF SALE dated as of the 22 day of June, 2023, by and between the City of Binghamton, a municipal corporation, City Hall, 38 Hawley Street, Binghamton, New York 13901 ("Seller"), and Erica Farber ("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 and obtain a survey and the description will be included in the deed.

2. Purchase Price. The purchase price for the Premises is FIFTY FIVE THOUSAND AND 00/100 (\$55,000), 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.

4.6.A The Premises are being conveyed AS IS.

4.6.B This special condition applies to this transfer as part of the Cities Rise City of Binghamton City Homes program. If the Premises or any part thereof is sold, or leased prior to completion of approved and permitted site plan specific construction and restoration work verified by the City of Binghamton Zoning Officer, or if Purchaser fails or refuses to provide information to verify this compliance, then Purchaser will pay Seller the amount of SEVENTY FIVE THOUSAND AND 00/100 (\$75,000), representing the difference between the grant funded investment to the Premises and the discounted 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 ____, 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** _____. 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: Erica Farber
2073 Cheshire Road
Binghamton, NY 13903

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:
R. Furber

Dated: 06/22/2023

Dated: _____

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

Project Number: None

Date: July 12, 2023

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 City-owned real property at 92 Park Ave.

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Sale of 92 Park Avenue for use as a two-unit dwelling.

Location: 92 Park Ave, Binghamton, Broome County, New York

Reasons Supporting This Determination:

The proposed action is the sale of vacant real property to a private entity for use as a two-unit dwelling.

The lead agency has reviewed an Environmental Assessment Form and the criteria contained in 6 NYCRR 617.7 (c) to identify the relevant areas of environmental concern, thoroughly analyzed the identified relevant areas of environmental concern, and determined that the action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

For Further Information

Contact Person: Giovanni Scaringi, Ph.D., President
 City of Binghamton City Council

Address: City Hall
 38 Hawley Street
 Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)

SEQRA

Chair of Finance Committee:

The following SEQRA motions are in reference to the legislation before us, Introductory Ordinance 23-102, "An Ordinance authorizing the sale of 92 Park Avenue to Erica Farber for \$55,000.00"

1. I make a Motion to declare City Council as "Lead Agency" under SEQRA.

Motion made by _____,

Seconded by _____,

Voice vote

2. I make a Motion to identify the proposed action as "Unlisted" under SEQRA.

Motion made by _____,

Seconded by _____,

Voice vote

3. I make a Motion to issue a negative declaration under SEQRA for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources, and the site was found to have no historical significance by the Commission on Architecture & Urban Design.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

Motion made by _____,

Seconded by _____,

Roll call vote

After SEQRA: Introduce & approve the legislation, roll call vote.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2023 POLICE
AND CORPORATION COUNSEL BUDGETS
FOR LEGAL SERVICES**

WHEREAS, the Chief of Police, Corporation Counsel, and Comptroller of the City of Binghamton find it proper and necessary to amend the 2023 Police and Corporation Counsel budgets for legal services in the amount of \$371,000.00; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 Police and Corporation Counsel budgets for legal services in the amount of \$371,000.00 as follows:

Transfer From (Decrease):

Transfer To (Increase):

\$371,000.00 A3120.51000 (Pers.Svcs.Pol.-Prob.)

\$371,000.00 A1420.54430 (Legal Services)

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: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE SALE OF
76 GLENWOOD AVENUE TO BRIANNA
TORRES FOR \$500**

WHEREAS, the City of Binghamton is the owner of certain real property located at 76 Glenwood Avenue, Binghamton, New York, Tax Parcel No. 143.68-3-1 (the “Premises”); and

WHEREAS, the City received an Offer to Purchase the Premises from Brianna Torres (the “Applicant”) for \$500 as part of the City’s side lot program; and

WHEREAS, the City has no public use for the Premises; and

WHEREAS, the Assessor of the City of Binghamton has determined that the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on July 12, 2023.

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, or his designee, 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 Brianna Torres, by Quitclaim Deed for \$500 to be paid by cash, certified check, or local bank check.

Section 2. This transfer is subject to the following conditions (i) the Premises may only be used as green space and (ii) the Premises must be merged with the Applicants’ adjacent properties located at 74 Glenwood Ave, Binghamton, New York, Tax Parcel No. 143.68-3-41, within one year of the date of this legislation.

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: July 12, 2023

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 City-owned real property at 76 Glenwood Ave.

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Sale of 76 Glenwood Avenue for use as residential green space.

Location: 76 Glenwood Ave, Binghamton, Broome County, New York

Reasons Supporting This Determination:

The proposed action is the sale of vacant real property to a private entity for use as residential green space.

The lead agency has reviewed an Environmental Assessment Form and the criteria contained in 6 NYCRR 617.7 (c) to identify the relevant areas of environmental concern, thoroughly analyzed the identified relevant areas of environmental concern, and determined that the action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources, and the site was found to have no historical significance by the Commission on Architecture & Urban Design.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

For Further Information

Contact Person: Giovanni Scaringi, Ph.D., President
 City of Binghamton City Council

Address: City Hall
 38 Hawley Street
 Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)

SEQRA

Chair of Finance Committee:

The following SEQRA motions are in reference to the legislation before us, Introductory Ordinance 23-105, “An Ordinance authorizing the sale of 76 Glenwood Avenue to Brianna Torres for \$500.00”

1. I make a Motion to declare City Council as “Lead Agency” under SEQRA.

Motion made by _____,

Seconded by _____,

Voice vote

2. I make a Motion to identify the proposed action as “Unlisted” under SEQRA.

Motion made by _____,

Seconded by _____,

Voice vote

3. I make a Motion to issue a negative declaration under SEQRA for the following reasons:

- The proposed action will not conflict with an adopted land use plan or zoning regulations, nor result in a change in land use.
- The proposed action will not impair the character or quality of the existing community.
- The proposed action will not have an impact on a Critical Environmental Area.
- The proposed action will not impact traffic or infrastructure, energy use, or water and sewer infrastructure.
- The proposed action will not negatively impact important historic resources, and the site was found to have no historical significance by the Commission on Architecture & Urban Design.
- The proposed action will not result in an adverse impact to natural resources, erosion and flooding, or human health.

Motion made by _____,

Seconded by _____,

Roll call vote

After SEQRA: Introduce & approve the legislation, roll call vote.



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

Date: July 12, 2023

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO ALLOCATE AMERICAN
RESCUE PLAN ACT FUNDS FOR THE DESIGN
OF THE HENRY STREET RECONSTRUCTION
PROJECT**

WHEREAS, the Mayor and the Comptroller of the City of Binghamton find it proper and necessary to allocate American Rescue Plan Act (ARPA) funds in the amount of \$600,000 for the design of the Henry Street reconstruction project; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on July 12, 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 allocate ARPA funds in the amount of \$600,000 for the design of the Henry Street reconstruction project as follows:

Transfer From (Decrease):

\$600,000 H8320.525105.F0015 (Wtr.Plnt.Impr.)

Transfer To (Increase):

\$600,000 H5110.XXXXXX.F0015 (Henry
St.Storm Water Recon.)

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: July 12, 2023

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE CITY OF
BINGHAMTON TO ENTER INTO ONE OR
MORE AGREEMENTS TO PROVIDE SUPPORT
FOR PAYMENT OF DEBT SERVICES

WHEREAS, the Mayor and Comptroller of the City of Binghamton wishes to enter into one or more agreements to provide support for payment of debt services on obligations of the City of Binghamton Water Street Development Corporation, along with appropriating funds for potential deficits in the operations in the annual budgets.

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 one or more agreements, approved as to form and content by the Office of Corporation Counsel, to provide support for payment of debt services on obligations of the City of Binghamton Water Street Development Corporation, along with appropriating funds for potential deficits in the operations in the annual budgets.

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: July 12, 2023

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH
MCFARLAND-JOHNSON, INC. FOR THE
DESIGN OF THE HENRY STREET
RECONSTRUCTION PROJECT

WHEREAS, the Mayor of the City of Binghamton wishes to enter into an agreement with McFarland-Johnson, Inc. for the design of the Henry Street reconstruction project in an amount not to exceed \$600,000.

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 an agreement, approved as to form and content by the Office of Corporation Counsel, with McFarland-Johnson, Inc. for the design of the Henry Street reconstruction project in an amount not to exceed \$600,000; and that funds will be available in budget line H5110.XXXXX.F0015 (Henry Street Storm Water Upgrades/Reconstruction) for this purpose.

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

Chuck Shager, Comptroller