



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Giovanni Scaringi, Ph.D., City Council President*

*Janine Faulkner, City Clerk*

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**COUNCIL OF THE CITY OF BINGHAMTON**  
**Business Meeting Agenda**  
**City Hall, 38 Hawley Street, Binghamton, NY 13901**  
**Wednesday, August 9, 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 July 26, 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

#### **Introductory Resolution 23-54. Considered in Finance: Scanlon**

A Resolution authorizing the City of Binghamton to apply for a WIIA Grant for upgrades to the water filtration plant

#### **Introductory Resolution 23-60. Considered in Planning: Resciniti**

A Resolution to approve the designation of the City of Binghamton as the lead municipality on behalf of the owners of the Binghamton-Johnson City Joint Sewage Treatment Facility to apply for the NYS Intermunicipal Grant supporting the TPS project

#### **Introductory Resolution 23-61. Considered in Finance: Scanlon**

A Resolution authorizing the City of Binghamton to enter into a Project-Specific Intermunicipal Agreement for the TPS Project at the Binghamton-Johnson City Joint Sewage Treatment Facility

### XII. FIRST READING LEGISLATION

#### **A. PREFERRED AGENDA**

##### **Introductory Ordinance 23-111. Considered in Finance: Scanlon**

An Ordinance to amend the 2023 Binghamton-Johnson City Joint Sewage Treatment Facility budget for FEMA reimbursement

##### **Introductory Resolution 23-63. Considered in Finance: Scanlon**

A Resolution to accept the New York State Division of Criminal Justice Services Body Worn Camera Funding Opportunity grant

##### **Introductory Resolution 23-64. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Riger Marketing Communications

#### **B. NON PREFERRED AGENDA**

##### **Introductory Ordinance 23-112. Considered in Finance: Scanlon**

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

##### **Introductory Resolution 23-65. 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

##### **Introductory Resolution 23-66. Considered in Finance: Scanlon**

A Resolution authorizing the Mayor to enter into an agreement with Fisher Associates for the Ross Park Recreational Trails pre-liminary design report



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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

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

## **XIV. ADJOURNMENT**



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

Date: July 26, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE CITY OF  
BINGHAMTON TO APPLY FOR A WIIA GRANT  
FOR UPGRADES TO THE WATER FILTRATION  
PLANT

WHEREAS, the City of Binghamton is eligible to receive a Water Infrastructure and Improvement Act (WIIA) Grant for clean and drinking water projects from the New York State Environmental Facilities Corporation (“EFC”) for upgrades to the Water Filtration Plant in the amount of \$3,000,000; and

WHEREAS, said grant, awarded and administered by EFC, will require the City to provide a local match of no less than 40% of the awarded grant by Bond.

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 Corporation Counsel, as may be necessary to apply for a WIIA Drinking Water Grant from the EFC in the amount of \$3,000,000 for the Water Filtration Plant upgrades.



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

Date: July 26, 2023

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

Introduced by Committee: Planning

**RESOLUTION**

*entitled*

A RESOLUTION TO APPROVE THE DESIGNATION OF THE CITY OF BINGHAMTON AS THE LEAD MUNICIPALITY ON BEHALF OF THE OWNERS OF THE BJCJSTF TO APPLY FOR THE NEW YORK STATE INTERMUNICIPAL GRANT SUPPORTING THE TERMINAL PUMPING STATION IMPROVEMENT PROJECT

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 City of Binghamton as the “Lead Municipality” to apply for the New York State Intermunicipal Grant on behalf of the Owners for the Terminal Pumping Station project.

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 the City of Binghamton as the “Lead Municipality” to apply for the New York State Intermunicipal Grant on behalf of the Owners for the Terminal Pumping Station project., approved as to form and content by the Office of Corporation Counsel, for the TPS Project at the BJCJSTF; 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



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

Date: July 26, 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 ENTER INTO A PROJECT-SPECIFIC INTERMUNICIPAL AGREEMENT FOR THE TPS PROJECT AT THE BINGHAMTON-JOHNSON CITY JOINT SEWAGE TREATMENT FACILITY

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 City of Binghamton to enter into a Project-Specific Intermunicipal Agreement (PS-IMA) in relation to the financing and construction of the Terminal Pumping Station (TPS) Project at the BJCJSTF as attached.

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 a PS-IMA, approved as to form and content by the Office of Corporation Counsel, in relation to the financing and construction of the TPS Project at the BJCJSTF as attached; 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

# PROJECT-SPECIFIC INTERMUNICIPAL AGREEMENT FOR THE TERMINAL PUMPING STATION (TPS) IMPROVEMENTS PROJECT OF THE BINGHAMTON-JOHNSON CITY JOINT SEWAGE TREATMENT FACILITIES

This agreement is entered-into this \_\_\_ day of July, 2023 by and between the City of Binghamton, a municipal corporation, 38 Hawley Street, Binghamton, County of Broome, New York 13901 (the "City") and the Village of Johnson City, a municipal corporation, 243 Main Street, Johnson City, County of Broome, New York 13790 (the "Village"), herein collectively referred to as the "Owners".

**Section 1. Purpose: to Set Forth Responsibilities and Authorities in Relation to the Terminal Pumping Station (TPS) Improvements Project for the Binghamton-Johnson City Joint Sewage Treatment Facilities.** Pursuant to Article 5G of the General Municipal Law, the City of Binghamton and the Village of Johnson City hereby memorialize their agreement regarding an Improvements Project for the Terminal Pumping Station (TPS) of their Joint Sewage Project. The TPS jointly owned by the City and the Village and is located at 3936 Gates Road, Vestal, New York 13850 in the County of Broome.

**Section 2. Existing Master IMA Unmodified.** This agreement supplements, and does not modify, the terms of the existing Master IMA for the Binghamton-Johnson City Joint Sewage Treatment Facilities ("Master IMA") between the City and the Village, as most recently amended January 25, 2023.

**Section 3. TPS Improvements Project.** The Owners find it desirable to improve the TPS by replacing the existing dual channel grinders with new mechanically cleaned bar screens and ancillary and associated improvements, including solids conveyor and compactor system; an attached ancillary building annex to the TPS with roll-up door to house roll-off containers for accumulation and removal of materials screened from the wastewater pumped by the TPS; odor control/HVAC improvements; electrical upgrades and improvements; and removal of the existing grinder hoist; as more fully described in the July 2023 Preliminary Engineering Report of GHD Consulting Services, Inc. The Owners shall jointly own the TPS Improvements Project in the shares set forth in Section 4 of the Master IMA.

**Section 4. Application for Grants.** To supplement existing funding available from the unappropriated Fund Balance of the Binghamton-Johnson City Joint Sewage Board (the "Board") committed for the TPS Improvements Project by Resolution approved July 11, 2023, the Owners approve and authorize application for grants, including an Intermunicipal Grant (IMG) as available from the State of New York and administered through the New York State Environmental Facilities Corporation.

**Section 5. Designation of Lead Municipality.** The Owners designate and appoint the City as "Lead Municipality" to apply for grant funding, including an IMG, on behalf of the Owners in accordance with the terms of Sections 28 and 29 of the Master IMA. In connection therewith, the City is also designated and authorized to act as the "Lead Agency" for compliance with the

requirements of the State Environmental Quality Review Act ("SEQR"), as well as to apply for approval of the TPS Improvements Project by the NYS State Historic Preservation Office [SHPO] via its Cultural Resource Information System [CRIS]. As Lead Municipality, the City shall also apply for any approvals required for the TPS Improvements Project from the New York State Department of Environmental Conservation (NYS-DEC).

**Section 6. Delegation of Authority to Carry-Out the TPS Improvements Project.** Subject to compliance with all applicable laws and regulations, the Owners delegate to the Board the responsibility and authority to carry-out the TPS Improvements Project, including procurement of project design and bidding documents; procurement of professional construction management and related professional and technical services; and procurement of construction and related supply services. The Board will provide the Owners with written progress reports as to the substantive construction and project costs not less frequently than monthly.

**Section 7. Costs of the TPS Improvements Project.** The Board shall be responsible for payment of the costs of the TPS Improvements Project. To the extent that the Owners receive any grant or other funding attributable to the TPS Improvements Project, the Owners shall reimburse the Board for the corresponding costs paid by the Board within 30 days of receipt of such funding.

**Section 8. Binding Effect; Effect of Master IMA.** By entering into this Project Specific IMA, the Owners intend to be bound by its terms. Except as provided otherwise herein, the Owners intend that the terms of their Master IMA shall be controlling as to any matter pertaining to the TPS Improvements Project.

IN WITNESS WHEREOF the parties hereto have executed this instrument effective as of the day and year first above written.

**CITY OF BINGHAMTON**

by: \_\_\_\_\_ DATED: \_\_\_\_\_

**VILLAGE OF JOHNSON CITY**

by: \_\_\_\_\_ DATED: \_\_\_\_\_



ATTEST:

\_\_\_\_\_

City Clerk

DATED: \_\_\_\_\_

\_\_\_\_\_

Village Clerk/Treasurer

DATED: \_\_\_\_\_



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

Date: August 9, 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 STATE AND FEDERAL EMERGENCY  
DISASTER ASSISTANCE

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

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

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

WHEREAS, the JSB has requested an amendment to the 2023 BJCJSTF budget to (i) increase the State Aid – Emergency Disaster Fund and the Federal Aid – Emergency Disaster Fund, and (ii) increase appropriations for Contingency Expense to reflect the FEMA NYS-DHSES check.

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

Section 1. That Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2023 BJCJSTF budget to (i) increase the State Aid – Emergency Disaster Fund and the Federal Aid – Emergency Disaster Fund, and (ii) increase appropriations for Contingency Expense to reflect the FEMA NYS-DHSES check as follows:

- (i) \$ 4,233.44 increase revenue budget line ES.43960 (State Aid – Emergency Disaster Asst.)
- (ii) \$12,700.31 increase revenue budget line ES.44960 (Fed. Aid – Emergency Disaster Asst.)
- (iii) \$16,933.75 increase expense budget line ES8130.55000 (Contingency)

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

Date: August 9, 2023

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

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Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: August 9, 2023

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

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

**A RESOLUTION TO ACCEPT THE NEW YORK  
STATE DIVISION OF CRIMINAL JUSTICE  
SERVICES BODY WORN CAMERA FUNDING  
OPPORTUNITY GRANT**

WHEREAS, the City of Binghamton is eligible to receive a Body Worn Camera Funding Opportunity Grant in the amount of \$70,000 from the New York State Division of Criminal Justice Services (DCJS); and

WHEREAS, the grant will be used to supplement and build on the current Body Worn Camera Systems; and

WHEREAS, there is no required City match; the grant funds will be upfront, and the Grant will be administered by the Officer in Charge of the Southern Tier Crime Analysis Center in the Binghamton Police Department; and the anticipated date of completion is June 30, 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, to accept the Body Worn Camera Funding Opportunity grant in the amount of \$70,000 from NYS DCJS; and that funds will be available in budget line H3120.555555.P0076 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: August 9, 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  
RIGER MARKETING COMMUNICATIONS**

WHEREAS, the Mayor of the City of Binghamton wishes to enter into a professional services agreement Riger Marketing Communications for use of the Community Development Block Grant CARES Act (CDBG-CV) funds, in an amount not to exceed \$107,143; and

WHEREAS, the funding is needed to provide support services to local businesses related to job marketing, talent attraction, and ancillary business support services.

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 Riger Marketing Communications for use of the Community Development Block Grant CARES Act (CDBG-CV), in an amount not to exceed \$107,143; and that funds shall be deducted from budget line CD8760.535005.CVY45 (EDW-Program-Business Asst) 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: August 9, 2023

Sponsored by Council Members: Resciniti, Burns, 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 \$605,792 for the design of the Henry Street reconstruction project; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on August 9, 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 \$605,792 for the design of the Henry Street reconstruction project as follows:

Transfer From (Decrease):

\$605,792 H8320.525105.F0015 (Wtr.Plnt.Impr.)

Transfer To (Increase):

\$605,792 H5110.XXXXX.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: August 9, 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  
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 \$605,792.

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 \$605,792; 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



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

Date: August 9, 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  
FISHER ASSOCIATES**

WHEREAS, the Mayor of the City of Binghamton wishes to enter into a professional services agreement with Fisher Associates for Phase I of US DOT RTP award #219204, in an amount not to exceed \$250,000; and

WHEREAS, the funding is needed for completing the Ross Park Recreational Trails preliminary design report.

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 Fisher Associates for use of Phase I of US DOT RTP award #219204, in an amount not to exceed \$250,000; and that funds shall be deducted from budget line H7180.555555.PK017 (Ross Park – Trails Program) for this purpose.

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

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