



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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

CITY COUNCIL WORK SESSION AGENDA City Hall, 38 Hawley St, Binghamton 6pm Monday, September 18, 2023

The Work Session begins at 6pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL/Topic	Pages	Presenter
6:00pm	Finance	Scanlon	RL23-196: To amend the Bond Ordinance for Mirabito Stadium improvements	1-14	Dave Sobotka
6:10pm	Planning	Resciniti	RL23-195: To declare the Main Street Corridor Improvement Project property acquisitions de minimis qualifying the City and Project for exemptions from EDPL public hearing requirements and to authorize the Mayor to take steps as are necessary for the City to acquire properties for the Main Street Project	15-38	Ron Lake
6:20pm	Finance	Scanlon	RL23-197: To amend the BJCJSB budget to increase Prof Svcs and Repair line to repair and reinforce Emseals on the HLine	39-40	Billie Goodson
6:25pm	Finance	Scanlon	RL23-199: To amend R23-56 by increasing the Healthy Schools and Communities Grant award amount RL23-200: To authorize the Mayor to enter into agreement with EDR in regards to the Ross Park Carousel shelter condition assessment and new shelter design	41-56	Juliet Berling
6:35pm			Discussion: 2024 City Council Meeting Calendar		President Scaringi
6:45pm	-----	-----	RL23-183: To amend the 2023 General Fund to allocate ARPA funds to support an affordable housing project at 187 Clinton Street RL23-184: To authorize the sale of 9 Slauson Ave to Metro Group Properties Inc RL23-185: Approve designation of City as lead Agency for environmental review of the TPS located at Gates Road in Vestal RL23-186: To transfer funds for responsibility adjustment for Superintendent of Streets and 1 st Deputy Commissioner of DPW until 11/25/23 RL23-187: To authorize Mayor to amend Volunteers of America agreement extending contract period until 9/30/23		Janine Faulkner



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			<p>RL23-188: To authorize Mayor to amend Outreach Ministries agreement by increasing the contact amount</p> <p>RL23-189: To authorize Mayor to amend YWCA agreement by increasing the contract amount</p> <p>RL23-190: To amend 2023 Police budget for Lieutenant position through 12/31/23</p> <p>RL23-191: To authorize the sale of 92 Park Ave to Erica Farber</p> <p>RL23-192: To accept monies from the Broome County Government Brownfield Fund for pre-demolition asbestos screening</p> <p>RL23-193: To amend 2023 Police budget for purchase of Glock 9mm handguns with optical sights</p>		
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COMMITTEE REPORTS

**Please Expedite for Next Business Meeting*

Legal Counsel Approval BMD

RL 21-245

Introductory No. 021-135

Permanent No. 021-135



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

Date: November 17, 2021

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

Introduced by Committee: Finance

ORDINANCE

entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON
AUTHORIZING THE CONSTRUCTION OF VARIOUS
IMPROVEMENTS TO MIRABITO STADIUM TO COMPLY
WITH THE MANDATES OF MAJOR LEAGUE BASEBALL,
STATING THE ESTIMATED MAXIMUM COST THEREOF
IF \$2,750,000, APPROPRIATING SAID AMOUNT FOR
SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF
BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF
NOT TO EXCEED \$2,750,000 TO FINANCE SAID
APPROPRIATION

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for the construction of various improvements to Mirabito Stadium in the City to comply with the mandates of Major League Baseball, as more specifically described herein.

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

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct various improvements to Mirabito Stadium to comply with the mandates of Major League Baseball (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,750,000 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. 21-135. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$2,750,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Fund balance of the City and/or grant funds received from the United States of America, the State of New York or from any other source, are authorized to be applied towards the cost of said project or redemption of the City's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds

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

Date: November 17, 2021

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date

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

Date: November 17, 2021

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "The Press & Sun-Bulletin," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Introductory No. 021-135
 Permanent No. 021-135

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

BOND ORDINANCE OF THE CITY OF
 BINGHAMTON AUTHORIZING THE
 CONSTRUCTION OF VARIOUS IMPROVEMENTS
 TO MIRABITO STADIUM TO COMPLY WITH THE
 MANDATES OF MAJOR LEAGUE BASEBALL,
 STATING THE ESTIMATED MAXIMUM COST
 THEREOF IF \$2,750,000, APPROPRIATING SAID
 AMOUNT FOR SUCH PURPOSE AND
 AUTHORIZING THE ISSUANCE OF BONDS OF THE
 CITY IN THE PRINCIPAL AMOUNT OF NOT TO
 EXCEED \$2,750,000 TO FINANCE SAID
 APPROPRIATION

The within Ordinance was adopted by the Council of the
 City of Binghamton.

Date 11/19/21
 City Clerk [Signature]
 Date Presented to Mayor 11/19/21

Date Approved 11/19/21
 Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilwoman Resciniti	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated
 7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 11/19/21. Approved by the Mayor on 11/19/21. [Signature]

**State Environmental Quality Review
Determination of Type II Action**

Project Number: None

Date: November 19, 2021

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.

Nature of action. An ordinance authorizing issuance of \$2,750,000 serial bonds to finance improvements to Mirabito Stadium, owned by the City of Binghamton. The projects are for (i) renovation of the existing visitor clubhouse; (ii) renovation of the existing home clubhouse (including women's clubhouse); (iii) construction of a stand-alone weight room; and (iv) installation of video surveillance (including player/staff parking, entrances to the home and visitor clubhouses, female staff facilities and umpire facilities).

Findings. The City of Binghamton City Council has determined that the proposed action described above is a Type II action based on §617.5 Type II C (1) maintenance or repair involving no substantial changes in an existing structure or facility, (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, and (21) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

For Further Information

Contact Person: Sophia Rescinti, President
City of Binghamton City Council

Address: City Hall
38 Hawley Street
Binghamton, NY 13901

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

PHONE: 212-820-9300
FAX: 212-514-8425

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(212) 820-9620

September 14, 2023

City of Binghamton, New York
\$7,250,000 Amending Bond Ordinance for Mirabito Stadium
(Our File Designation: 5040/44835)

Clarence Shager, Comptroller
City of Binghamton
City Hall
38 Hawley Street
Binghamton, New York 13901-3766

Dear Chuck:

Pursuant to your request, I have prepared and now send to you a draft of the Extract of Minutes of the Council meeting to be held October 4, 2023 showing adoption of the above amending bond ordinance and providing for publication of such ordinance, *in summary*. ***The bond ordinance requires at least a two-thirds vote of the full Council for adoption, without taking into consideration any temporary absences or vacancies.***

A summary of the bond ordinance with the prescribed form of Clerk's statutory notice affixed in readiness for publication in the official City newspaper is also included. As you know, publication of the bond ordinance, in summary, commences a 20-day statute of limitations period pursuant to the provisions of Section 80.00 *et seq.* of the Local Finance Law. **The publication of the legal notice should be made as soon as possible following adoption of the ordinance by the Council.**

Please confirm that the necessary SEQRA review for this project has been or will be completed prior to the adoption of this ordinance.

Please obtain and forward to me a certified copy of the Extract of Minutes and an original Affidavit of Publication, when available.

With best regards, I am

Very truly yours,



William J. Jackson

WJJ/ml
Enclosures

EXTRACT OF MINUTES

Meeting of the Council of the City of Binghamton,

in the County of Broome, New York

October 4, 2023

* * *

A regular meeting of the Council of the City of Binghamton, in the County of Broome, New York, was held at the City Hall, Binghamton, New York, on October 4, 2023.

There were present:

Councilpersons:

There were absent:

Also present: Leighton Rogers, City Clerk

* * *

_____ offered the following ordinance and moved its
adoption:

Legal Counsel Approval _____

Introductory No. _____



Permanent No. _____

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

Date: October 4, 2023

Sponsored by Council Members:

Introduced by Committee: Finance

ORDINANCE

Entitled

AMENDING BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED OCTOBER 4, 2023, AMENDING THE BOND ORDINANCE ADOPTED NOVEMBER 19, 2021 RELATING TO CONSTRUCTION OF VARIOUS IMPROVEMENTS TO MIRABITO STADIUM TO COMPLY WITH THE MANDATES OF MAJOR LEAGUE BASEBALL

Recitals

WHEREAS, the Council of the City of Binghamton (the "City"), in the County of Broome, New York, has heretofore duly authorized the issuance of bonds in the principal amount of not to exceed \$2,750,000 to finance the construction of various improvements to Mirabito Stadium in the City to comply with the mandates of Major League Baseball, all as specified in the bond ordinance adopted on November 19, 2021; and

WHEREAS, the Council has determined that due to an increase in the scope of the project it is necessary and in the public interest to increase the appropriation for such project by \$4,500,000, and to amend said bond ordinance to authorize the issuance of an additional \$4,500,000 bonds to finance said increased appropriation.

Now, therefore, be it

RESOLVED BY THE COUNCIL OF THE CITY OF BINGHAMTON, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section A. The bond ordinance of said City duly adopted by the Council of the City on November 19, 2021 entitled:

“Bond Ordinance of the City of Binghamton, New York, adopted November 19, 2021, authorizing the construction of various improvements to Mirabito Stadium to comply with the mandates of Major League Baseball, stating the estimated maximum cost thereof is \$2,750,000, appropriating said amount for such purpose and authorizing the issuance of bonds of the city in the principal amount of not to exceed \$2,750,000 to finance said appropriation,”

is hereby amended to read as follows:

Legal Counsel Approval _____

Introductory No. _____



RL15-145

Permanent No. _____

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

Date: October 4, 2023

Sponsored by Council Members: _____

Introduced by Committee: Finance

ORDINANCE

Entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK,
ADOPTED NOVEMBER 19, 2021 AND AMENDED OCTOBER 4, 2023,
AUTHORIZING THE CONSTRUCTION OF VARIOUS
IMPROVEMENTS TO MIRABITO STADIUM TO COMPLY WITH THE
MANDATES OF MAJOR LEAGUE BASEBALL, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$7,250,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND
AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,250,000 TO FINANCE
SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for the construction of various improvements to Mirabito Stadium in the City to comply with the mandates of Major League Baseball;

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain (by the favorable vote of not less than two-thirds of all the members of said Council) as follows:

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

Date: October 4, 2023

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the “City”), is hereby authorized to construct various improvements to Mirabito Stadium to comply with the mandates of Major League Baseball (the “Project”). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,250,000 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. 21-135 and _____. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$7,250,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Fund balance of the City and/or grant funds received from the United States of America, the State of New York or from any other source, are authorized to be applied towards the cost of said project or redemption of the City’s bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the City in the principal amount of not to exceed \$7,250,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

Date: October 4, 2023

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein

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

Date: October 4, 2023

authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Section B. The amendment of the bond ordinance set forth in Section A of this ordinance, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond ordinance, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond ordinance, as so amended.



Legislative Branch

RL Number: 23-195
Date Submitted: 9/13/23

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

Applicant Presenting RL at Work Session

Mark Budosh, P.E.

Barton & Loguidice

315.457.5200

(Print Name)

(Title)

(Phone number)

Signature:

Date:

To Be Completed By Applicant

Proposed Title: IN THE MATTER OF THE CITY OF BINGHAMTON QUALIFYING FOR

EXEMPTIONS FROM EMINENT DOMAIN PROCEDURE LAW ARTICLE 2

HEARING REQUIREMENT FOR THE MAIN STREET CORRIDOR STUDY & SAFETY IMPROVEMENTS PROJECT (P.I.N. 9754.37)

Executive Summary *(Explain why legislation is necessary):* Draft Legislation Attached.

Effective Date: (if applicable) _____

Budget transfer or amendment: RL Budget Transfer Worksheet must be attached w/ Dep. Head signature.

RL related to a grant: RL Grant Worksheet must be attached. Deadline for Council to act by: _____

RL related to previously adopted legislation: Perm. number _____, adoption date _____

Contract: Person/Company _____ Start/End Date _____

Total Cost _____ Funds available in Budget Line _____ Title _____

Public Hearing required? Yes No

SEQRA required? Yes No

Additional information related to this RL attached? Yes No

OFFICE USE ONLY	
Mayor:	<u></u>
Comptroller:	<u></u>
Corp. Counsel:	<u></u>
Finance <input type="checkbox"/>	Planning <input checked="" type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

IN THE MATTER OF THE CITY OF BINGHAMTON QUALIFYING FOR EXEMPTIONS FROM EMINENT DOMAIN PROCEDURE LAW ARTICLE 2 HEARING REQUIREMENT FOR THE MAIN STREET CORRIDOR STUDY & SAFETY IMPROVEMENTS PROJECT (P.I.N. 9754.37)

WHEREAS, Main Street (NYS Route 17C) within the City of Binghamton is an Urban Minor Arterial whose primary function is to serve large volumes of east-west traffic within and through the City of Binghamton; and

WHEREAS, after conducting a study, the City of Binghamton ("City") has identified safety deficiencies along an approximately 1.7-mile segment of Main Street (NYS Route 17C) between the Main Street intersections with Floral Avenue and Front Street ("Project Corridor"); and

WHEREAS, the study revealed a high pedestrian-vehicle crash rate, with an average of 12 crashes occurring annually during the 2011-2015 time period, with one fatal accident occurring in 2012; and

WHEREAS, Main Street (NYS Route 17C) within the Project Corridor is owned and maintained by the City; and

WHEREAS, the City is proposing to undertake a project to address and remedy the safety deficiencies that have been identified within the Project Corridor ("Project"); and

WHEREAS, the Project will involve pedestrian safety improvements within the Project Corridor, including: replacement and installation of new ADA compliant curb ramps, sections of sidewalks, sidewalk bumpouts, stormwater sewer inlets, and crosswalk striping; upgrading of all signalized intersections to include pedestrian signals with pushbuttons and countdown timers; and minor pavement and drainage repairs in isolated areas; and

WHEREAS, the primary objectives/purposes of the Project are to: correct safety deficiencies with the Project Corridor using cost effective vehicular, pedestrian and bicycle accident reduction measures; maintain or improve overall traffic conditions while implementing the proposed safety benefits; and implement the proposed safety improvements in accordance with the City's master plan for the Main Street Corridor; and

WHEREAS, it will be necessary for the City to acquire real property interests from third parties for the purpose of accomplishing the aforementioned safety improvements; and

WHEREAS, four (4) of the tax map parcels in which the City must acquire real property interests in order to accomplish the Project are Tax Map Parcel No. 143.75-1-8 (Map 1 Parcel), Tax Map Parcel 143.75-1-23 (Map 4 Parcel), Tax Map Parcel 160.40-1-45 (Map 8 Parcel), and Tax Map Parcel 160.40-1-27 (Map 9 Parcel), all of which are situated in the City of Binghamton; and

WHEREAS, the location and size of the proposed fee interest area to be acquired in the Map 1 Parcel is an approximately 36 square feet triangular shaped area at the northwest corner of the intersection of Main Street and Emma Street; and

WHEREAS, the specific purpose for acquiring the fee interest in and to a portion of the Map 1 Parcel is to replace the existing sidewalk with sidewalk that includes an ADA compliant curb ramp; and

WHEREAS, the location and size of the proposed fee interest area to be acquired in the Map 4 Parcel is an approximately 47 square feet narrow, rectangular shaped area abutting Main Street at the northeast corner of the intersection of Main Street and Matthews Street; and

WHEREAS, the specific purpose for acquiring the fee interest in and to a portion of the Map 4 Parcel is to replace the existing sidewalk, a portion of which previously was constructed outside of the City's property boundary line; and

WHEREAS, the location and size of the proposed fee interest area to be acquired in the Map 8 Parcel is an approximately 134 square feet rectangular shaped area at the southwest corner of the intersection of Main Street and Front Street; and

WHEREAS, the specific purpose for acquiring the fee interest in and to a portion of the Map 8 Parcel is to replace the existing sidewalk, a portion of which previously was constructed outside of the City's property boundary line; and

WHEREAS, the location and size of the proposed fee interest area to be acquired in the Map 9 Parcel is an approximately 111 square feet triangular shaped area at the northeast corner of the intersection of Main Street and Front Street; and

WHEREAS, the specific purpose for acquiring the fee interest in and to a portion of the Map 9 Parcel is to replace the existing sidewalk with sidewalk that includes an ADA compliant curb ramp; and

WHEREAS, fee title to the Map 1 Parcel currently is vested in Gurshan Properties, LLC. and

WHEREAS, fee title to the Map 4 Parcel currently is vested in James M Spear; and

WHEREAS, fee title to the Map 8 Parcel currently is vested in Lucky 13 Acquisitions, LLC. and

WHEREAS, fee title to the Map 9 Parcel currently is vested in 4 Main Street LLC; and

WHEREAS, in accordance with the provisions of Article 3 of the New York Eminent Domain Procedure Law ("EDPL") and the Uninform Relocation Assistance and Real Property Assistance Act of 1973 and its implementing regulations, the City has caused to be appraised the real property interests that it seeks to acquire in and to portions of the Map 1 Parcel, Map 4 Parcel, Map 8 Parcel and Map 9 Parcel, has had such appraisals reviewed by an independent appraiser, has established the highest approved appraisal amounts as the amounts that it believes represents just compensation to be paid for the acquisition of such real property interests, and has communicated to the owners of the Map 1 Parcel, Map 4 Parcel, Map 8 Parcel and Map 9 Parcel written offers to purchase such real property interests for one hundred percentum of the just compensation amounts so established; and

WHEREAS, the respective owners of the Map 1 Parcel, Map 4 Parcel, Map 8 Parcel and Map 9 Parcel have not accepted the City's offers to purchase the aforementioned real property interests that are

needed to accomplish the Project, as a consequence of which it is necessary to acquire such real property interests by means of EDPL Article 4 acquisition proceedings; and

WHEREAS, EDPL Article 2 requires, as a condition precedent to acquiring title by means of an EDPL Article 4 acquisition proceeding, that the City conduct a public hearing to inform the public and to review the public use to be served by the proposed Project and the impact on the environment and residents of the locality where the proposed Project will be constructed unless such Project is exempt from the EDPL Article 2 hearing requirements in accordance with EDPL §206; and

WHEREAS, the City is of the opinion that the Project and the subject real property acquisitions qualify for exemptions from the EDPL Article 2 public hearing requirement on the basis of exemptions provided pursuant to EDPL 206(A) and (D); and

WHEREAS, EDPL §206 (A) provides that the City will be exempt from compliance with the provisions of Article 2 when, pursuant to other state, federal, or local law or regulation it considers and submits factors similar to those enumerated in EDPL §204 (B) to a state, federal, or local government agency, board, or commission before proceeding with the acquisition and obtains a license, a permit, a certificate of public convenience of necessity, or other similar approval from such agency, board, or commission; and

WHEREAS, the factors enumerated in subdivision (B) of EDPL §204 are: (1) the public use, benefit or purpose to be served by the proposed public Project; (2) the approximate location for the proposed public Project and the reasons for the selection of that location; (3) the general effect of the proposed Project on the environment and residents of the locality; and (4) such other factors as it considers relevant; and

WHEREAS, the proposed Project is a Locally Administered Federal Aid Transportation Project administered by the City; and

WHEREAS, the proposed Project is being progressed by the City, with oversight by the New York State Department of Transportation (“NYSDOT”), in accordance with the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual (“LPM”), the NYSDOT “Project Development Manual” (“PDM”) and other applicable NYSDOT regulations and policies; and

WHEREAS, in order to progress to the Project through scoping, design and acquisition phases, as established by NYSDOT, it was necessary for the City to obtain NYSDOT and Federal Highway Administration (“FHWA”) approval that the City has satisfied the requirements of FHWA and NYSDOT, as set forth in the LPM, PDM and other applicable statutes, regulations and policies; and

WHEREAS, in order to obtain FHWA and NYSDOT approval of the Project, it was necessary for the City to submit to NYSDOT and FHWA a document known as an Initial Project Scoping/Final Design Report (“Design Report”) addressing, among other things, the location and details of the Project, as well as information and documentation demonstrating compliance with the provisions of the National Environmental Policy Act of 1969 (“NEPA”) and the New York State Environmental Quality Review Act (“SEQR”); and

WHEREAS, the City, in conjunction with its consultant, completed the Design Report for the Project and submitted same to NYSDOT for its review and approval; and

WHEREAS, NYSDOT completed its review of the Design Report, and on or about May 18, 2021, FHWA provided project approval to the City and issued design approval and an Authorization to Proceed With ROW Acquisitions; and

WHEREAS, in accordance with the provisions of 23 C.F.R. 771.118(c), and as required by the PDM, the City was required to undertake and complete an environmental review under NEPA; and

WHEREAS, in satisfaction of its duties to conduct an environmental review under NEPA, the City prepared a Federal Environmental Approval Sheet; and

WHEREAS, the proposed public Project is being progressed as a NEPA Class II action (Categorical Exclusion) in accordance with the NYSDOT Environmental Action Plan, 23 CFR 771.117(c), because it does not individually or cumulatively have a significant environmental impact and is one of the project types described in the "C" list as a Federally-funded project that receives less than \$5,000,000 of Federal funds; and

WHEREAS, on or about April 15, 2021, NYSDOT concurred with this classification, all of which is set forth in the Design Report; and

WHEREAS, the City is designated as the lead agency for purposes of the New York State Environmental Quality Review Act (hereinafter "SEQRA"); and

WHEREAS, the City classified the proposed Project as a Type II action per NYCRR Part 617.5(c)(2) (replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site,) and 617.5(c)(22) (installation of traffic control devices on existing streets, roads and highways) and has completed the SEQR review process; and

WHEREAS, the City has considered the general effect of the proposed Project on the residents of the locality in which the proposed Project is to be undertaken and has included such analysis in the Design Report; and

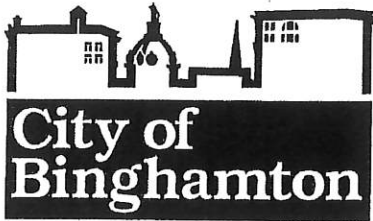
WHEREAS, in the course of satisfying the requirements of the LPM and DPM, the City has considered and submitted to NYSDOT factors similar to those enumerated in EDPL §204(B), and NYSDOT and FHWA have issued their approvals of the Project; and

WHEREAS, the Project and the location, nature, duration and extent of the acquisition of the real property interests in and to portions of the Map 1 Parcel, Map 4 Parcel, Map 8 Parcel and Map 9 Parcel are de minimis in nature so that the public interest will not be prejudiced by the construction of the Project.

NOW THEREFORE, it is hereby

RESOLVED, that the City of Binghamton has considered all relevant information pertaining to the proposed Project and has determined that the Project serves a legitimate public use, purpose and benefit, and that the project development process implemented by the City, as required by Federal and State statutes, regulations and policies, as well as the de minimis nature of the proposed acquisitions of fee interests in and to small, peripheral portions of the Map 1 Parcel, Map 4 Parcel, Map 8 Parcel and Map 9 Parcel in the City of Binghamton, qualify the City and the Project for exemptions from the hearing requirements of EDPL Article 2, pursuant to EDPL Section 206 (A) and (D); and it is further

RESOLVED, the City of Binghamton hereby authorizes the Mayor or his designee to take such steps, perform such acts and execute such documents as are necessary for the City to acquire the previously identified fee interests in and to portions of the Map 1 Parcel, Map 4 parcel, Map 8 Parcel and Map 9 Parcel in the City of Binghamton, New York, and to acquire all other real property interests that may be necessary in order to accomplish for the Project, including, but not limited to, acquisitions in accordance with any other provision of law, regulation or contract.



Mayor Jared M. Kraham

Ronald B. Lake, P.E., City Engineer

Franco Incitti, Assistant City Engineer

James M. Spear
197 Matthews Street
Binghamton, NY 13905

Re: PIN 9754.37 – Main Street Corridor Safety Improvement Project
Map No. 04, Tax ID No. 143.75-1-23
Binghamton, County of Broome, New York

Dear Mr. Spear:

The City of Binghamton is in the process of acquiring real property rights necessary for the PIN 9754.37 – Main Street Corridor Safety Improvements Project. This letter is the city’s official offer to acquire real property rights from a portion of your property for the project.

The offer is based on an appraisal report prepared by a New York State Certified General Real Estate Appraiser. A qualified review appraiser has reviewed the appraisal report. The City has established an amount that represents “just compensation” for the property interest to be acquired. This amount includes the compensation for the interest to be acquired, improvements, if any, and all legal damages that may be caused to your remaining holdings.

The offer of just compensation is \$500.00. As required by federal and state law, the offer represents the approved appraisal amount. Payment will be made together with appropriate interest. You may accept the offer as payment in full or you may elect, without prejudicing your rights, to accept the offer as an advance payment.

The following is a summary of the offer:

1. The value of the land and improvements within the acquisition area:	\$500.00
2. The loss in value to your remaining property:	\$0.00
3. Cost to cure:	\$0.00
4. Temporary easement rental value:	\$0.00
TOTAL OFFER OF JUST COMPENSATION:	\$500.00

Included in the acquired area are the following improvements:

asphalt

A description of the area and real estate interest to be acquired is shown on the enclosed map.

You may accept the offer as payment in full or you may reject the offer as payment in full and instead elect to accept such offer as an advance payment. Such election shall in no way prejudice your right to claim additional compensation. However, your failure to file a claim within the time of filing claims, as provided in paragraph (B) of section five hundred three of the Eminent Domain Procedure Law, shall be deemed an acceptance of the amount paid as full settlement of such claim.

On acceptance of this offer or an adjusted offer, the City of Binghamton will enter into a purchase agreement with you providing for payment of either the full or advance amount. Your rights to payment will not be conditioned on a waiver of any other rights.

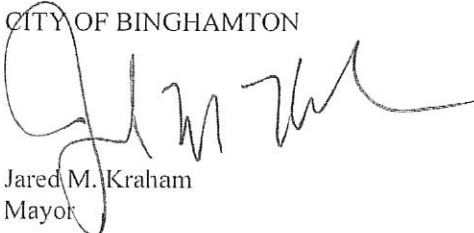
The City of Binghamton has hired R. K. Hite & Co., Inc. a right of way consulting firm, to conduct negotiations on our behalf. The specialist will review the offer with you and explain the valuation and acquisition processes, including payment procedures. In addition, the specialist will provide details about the proposed construction and the project schedule. Every effort will be made to answer your questions and help you through the process.

The right of way specialist assigned to this project is Tyler Hite. Please contact him at 585-281-1394 or his email tylerhite@rkhite.com if you have any questions.

Thank you for your cooperation in this matter.

Sincerely,

CITY OF BINGHAMTON



Jared M. Kraham
Mayor

Enc.

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

MAP NO. 1
PARCEL NO. 1
SHEET 1 OF 2 SHEETS

MAP REFERENCE INFORMATION:

Sheets 32-48 of the NYS DOT record plan set entitled "Reconstruction on Route 11" Contract Number D253444, Dated May 24, 1990.

GURSHAN PROPERTIES LLC

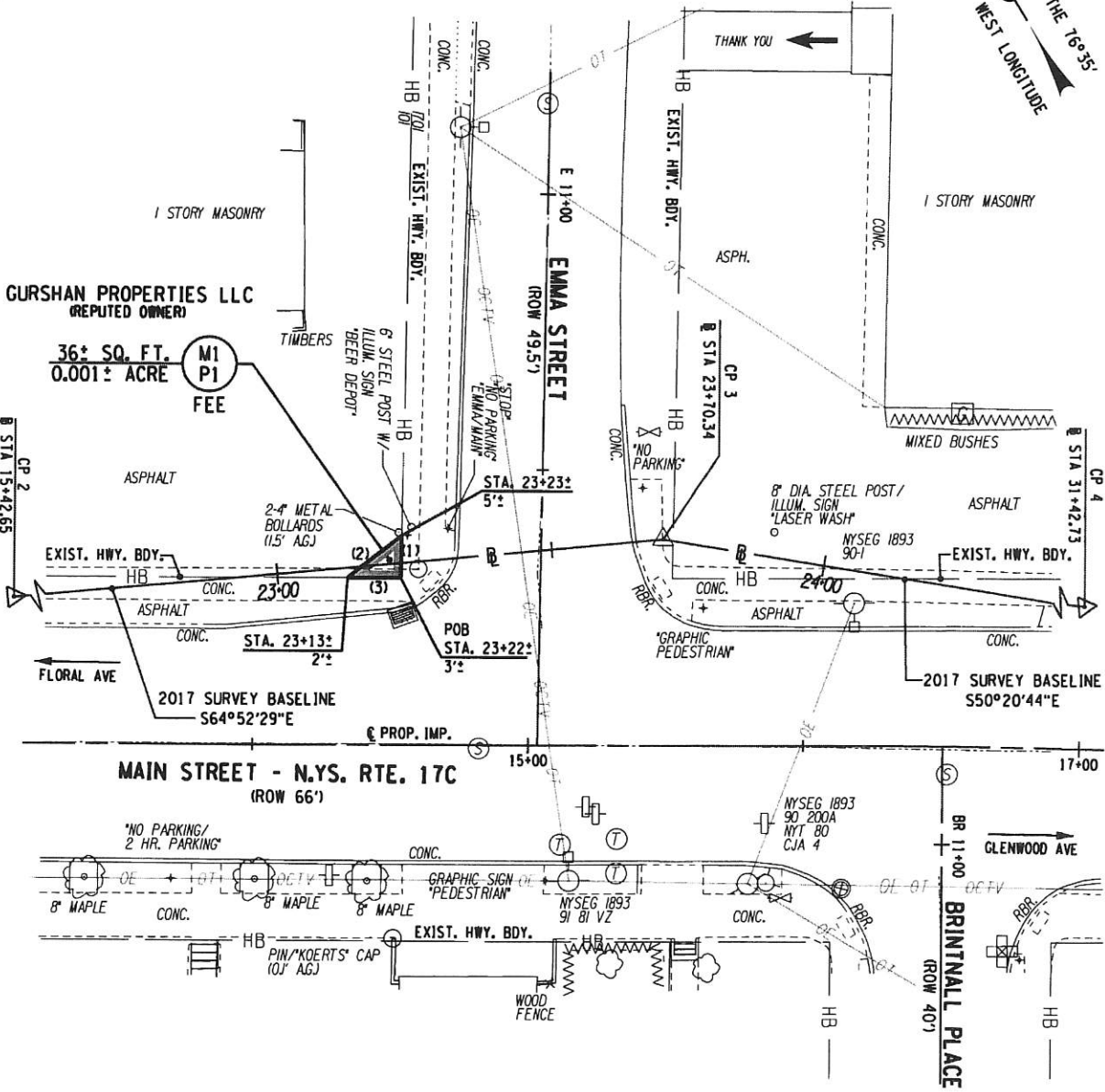
(REPUTED OWNER)
CCD L. 2543 P. 264
TRN 1

PARCEL SUMMARY:

FEE
Portion of 2022 Tax Map
Ref. No. 143.75-1-8
City of Binghamton
County of Broome
State of New York

Parcel Locator Point:

Parcel No: 1
N: 769,631.208
E: 993,772.762



NO.	BEARING	DIST FT
1	-----	8±'
2	S 81°39'56" W	12±'
3	-----	9±'

PREPARED BY ANTHONY CRETELLE CHECKED BY JOHN FREEMAN FINAL CHECK BY DAVE HONNICK, PLS

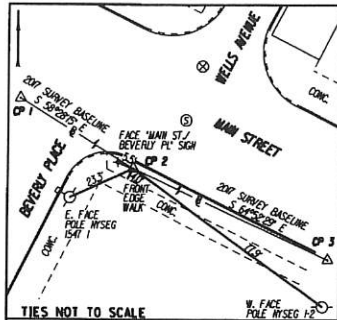
FILE: 2017058

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

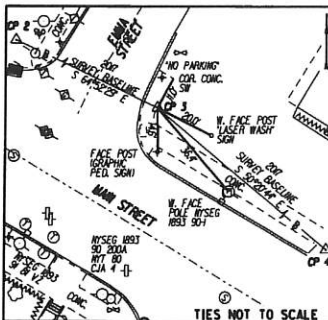
MAP NO. 1
PARCEL NO. 1
SHEET 2 OF 2 SHEETS



TIES NOT TO SCALE
CP 2 STA. 15+42.65

CP 2 IS A REBAR W/RAVI CAP ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED AT THE SOUTHEASTERLY CORNER OF BEVERLY PLACE AND MAIN STREET.

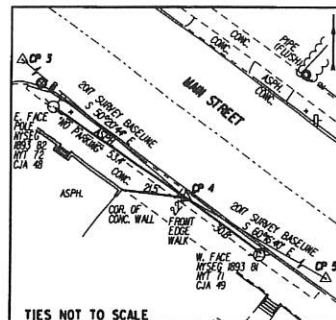
NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 769,964.591
EASTING 993,068.188



TIES NOT TO SCALE
CP 3 STA. 23+70.34

CP 3 IS A REBAR W/RAVI CAP ON THE NORTHERLY SIDE OF MAIN STREET, LOCATED AT THE SOUTHEASTERLY CORNER OF EMMA STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 769,613.155
EASTING 993,817.560



TIES NOT TO SCALE
CP 4 STA. 31+42.73

CP 4 IS A REBAR W/RAVI CAP ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 100 FEET SOUTHEASTERLY FROM THE INTERSECTION OF MATTHEWS STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 769,120.246
EASTING 994,412.236

All that piece or parcel of property designated as Parcel No. 1, as shown on the accompanying map, to be acquired in Fee.



GURSHAN PROPERTIES LLC
(REPUTED OWNER)

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date _____ 20 ____

Jared M. Kraham
Mayor of Binghamton
New York

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

Date October 31 2022

David J. Honnick

David J. Honnick, Land Surveyor
N.Y.S.P.L.S. License No. 050966
Ravi Engineering & Land Surveying, P.C.



87 Genesee Street
P.O. Box 130
Avon, New York 14414
Tel: (585) 226-6702
Fax: (585) 226-8067

October 14, 2022

City of Binghamton
38 Hawley Street
Binghamton, NY 13901

ATTN: Jared M. Kraham, Mayor

Re: PIN 9754.37 – Main Street Corridor Safety Improvements
City of Binghamton, Broome County, New York

Request for Determination of Just Compensation

Dear Mayor Kraham:

Enclosed is one copy of the property appraisal review for each of the following real property acquisitions:

Map No.	Tax Parcel ID	Property Owner	Approved Appraisal Amount	Recommended Just Compensation
01	143.75-1-8	Gurshan Properties LLC	\$400.00	\$400.00
02	143.75-1-14	CECA 3000 LP	\$400.00	\$400.00
03	143.75-1-18	Anthony J. Scarano	\$900.00	\$900.00
04	143.75-1-23	James M. Spear	\$500.00	\$500.00
05	143.84-2-25	Advance Stores Co. Inc.	\$1,600.00	\$1,600.00
06	160.21-3021	BTL Realty LLC	\$2,600.00	\$2,600.00
07	160.3-4-1	Omer Jahangir Sheikh & Alamgir Khan	\$500.00	\$500.00
08	160.4-1-45	Lucky 13 Acquisition	\$1,400.00	\$1,400.00
09	160.4-1-27	4 Main Street LLC	\$800.00	\$800.00

Based on the data provided in the appraisal reviews and the appraisal reports, R. K. Hite & Co., Inc. requests that you establish the amount of just compensation for the acquisitions of the above-referenced maps. It is noted that the Eminent Domain Procedure Law states "In no event shall such amount be less than the condemnor's highest approved appraisal." The highest approved appraisal is the amount shown on the Appraisal Reviews.

Please indicate the City of Binghamton's just compensation determination by countersigning this letter below and returning the same to me at the address in the letterhead. If you have any questions or comments, please do not hesitate to call.

Very truly yours,

R.K. HITE & CO., INC.

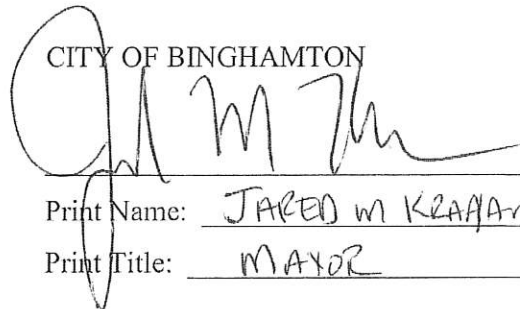
Richard K. Hite, Sr.

Richard K. Hite, Sr.
President

Enc.

The City of Binghamton hereby approves the just compensation amounts for the acquisition of the real property interests as stated above.

Date: 10/17/22

CITY OF BINGHAMTON

Print Name: JARED M KRAAM
Print Title: MAYOR

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

MAP NO. 4
PARCEL NO. 4
SHEET 1 OF 2 SHEETS

MAP REFERENCE INFORMATION:

Sheets 32-48 of the NYS DOT record plan set entitled "Reconstruction on Route 11" Contract Number D253444, Dated May 24, 1990.

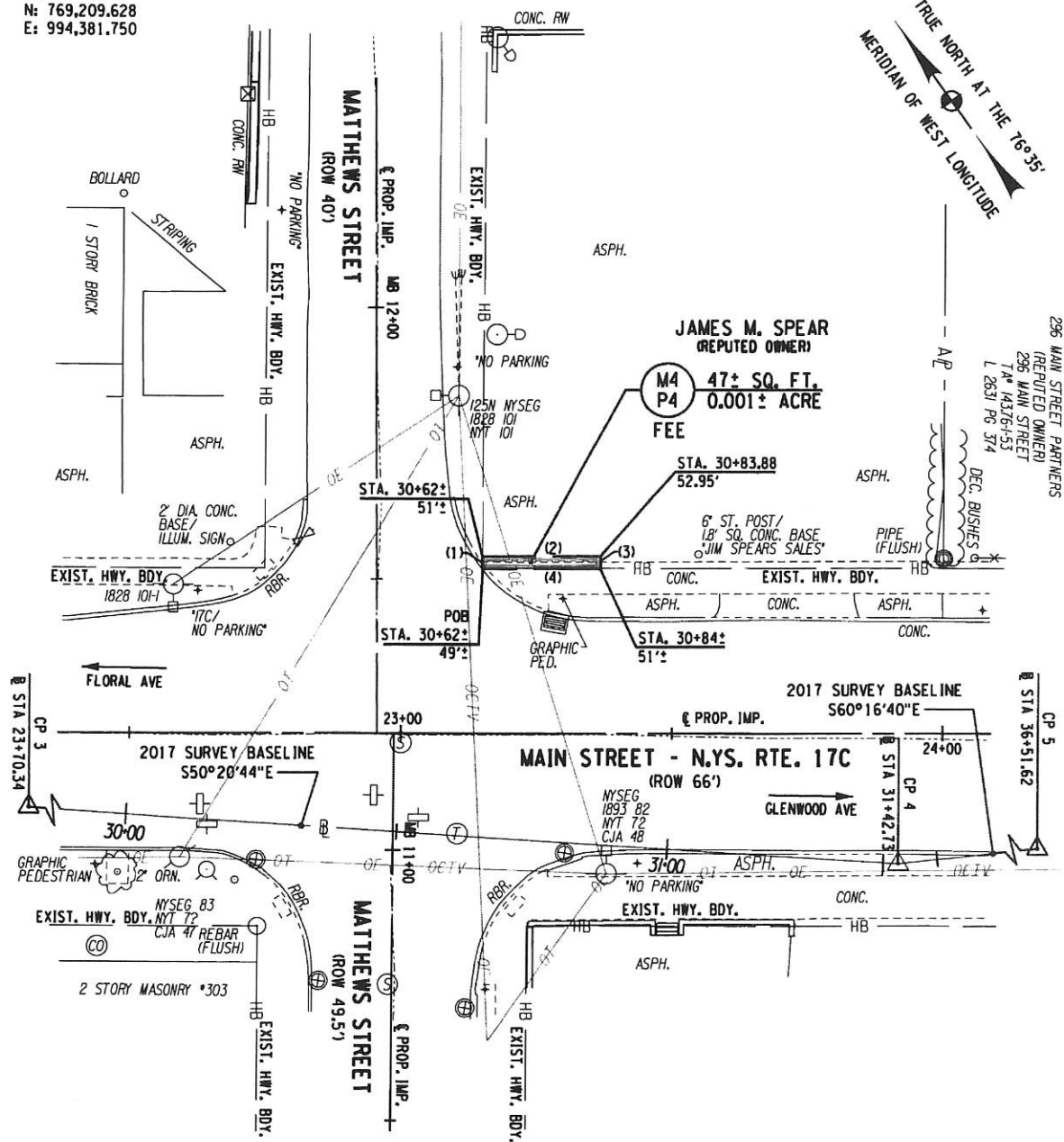
JAMES M. SPEAR
(REPUTED OWNER)
CCD L. 1646 P. 185
TRN 4

PARCEL SUMMARY:

FEE
Portion of 2022 Tax Map
Ref. No. 143.75-1-23
City of Binghamton
County of Broome
State of New York

Parcel Locator Point:

Parcel No: 4
N: 769,209.628
E: 994,381.750



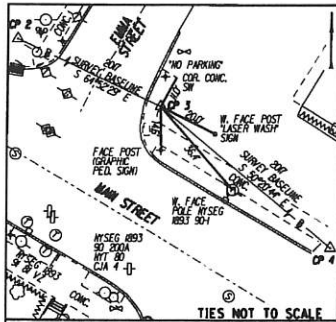
FEE INFORMATION TABLE PARCEL 4		
NO.	BEARING	DIST FT
1	-----	2'±
2	S 54°13'21" E	22'±
3	S 36°01'06" W	2'±
4	-----	22'±

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

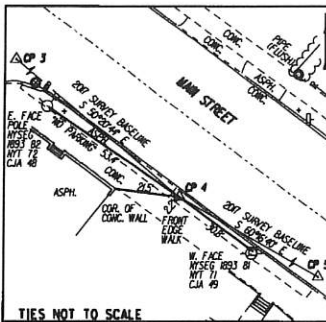
MAP NO. 4
PARCEL NO. 4
SHEET 2 OF 2 SHEETS



TIES NOT TO SCALE
CP 3 STA. 23+70.34

CP 3 IS A REBAR W/RAVI CAP ON THE NORTHERLY SIDE OF MAIN STREET, LOCATED AT THE SOUTHEASTERLY CORNER OF EMMA STREET AND MAIN STREET.

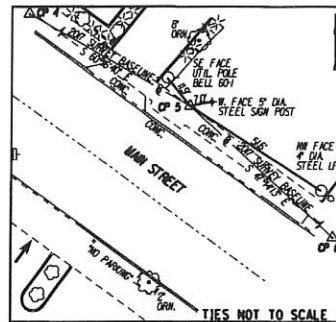
NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 769,613.155
EASTING 993,817.560



TIES NOT TO SCALE
CP 4 STA. 31+42.73

CP 4 IS A REBAR W/RAVI CAP ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 100 FEET SOUTHEASTERLY FROM THE INTERSECTION OF MATTHEWS STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 769,120.246
EASTING 994,412.236



TIES NOT TO SCALE
CP 5 STA. 36+51.62

CP 5 IS A REBAR W/RAVI CAP ON THE NORTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 155 FEET NORTHWESTERLY FROM THE INTERSECTION OF CRESTMONT ROAD AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 768,867.943
EASTING 994,854.171

All that piece or parcel of property designated as Parcel No. 4, as shown on the accompanying map, to be acquired in Fee.



JAMES M. SPEAR
(REPUTED OWNER)

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date _____ 20 ____

Jared M. Kraham
Mayor of Binghamton
New York

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

Date October 31 2022

David J. Honnick

David J. Honnick, Land Surveyor
N.Y.S.P.L.S. License No. 050966
Ravi Engineering & Land Surveying, P.C.



Mayor Jared M. Kraham

Ronald B. Lake, P.E., City Engineer

Franco Incitti, Assistant City Engineer

Gurshan Properties LLC
2613 Princeton Drive
Vestal, NY 13850

Re: PIN 9754.37 – Main Street Corridor Safety Improvement Project
Map No. 01, Tax ID No. 143.75-1-8
Binghamton, County of Broome, New York

Dear Property Owner:

The City of Binghamton is in the process of acquiring real property rights necessary for the PIN 9754.37 – Main Street Corridor Safety Improvements Project. This letter is the city’s official offer to acquire real property rights from a portion of your property for the project.

The offer is based on an appraisal report prepared by a New York State Certified General Real Estate Appraiser. A qualified review appraiser has reviewed the appraisal report. The City has established an amount that represents “just compensation” for the property interest to be acquired. This amount includes the compensation for the interest to be acquired, improvements, if any, and all legal damages that may be caused to your remaining holdings.

The offer of just compensation is \$400.00. As required by federal and state law, the offer represents the approved appraisal amount. Payment will be made together with appropriate interest. You may accept the offer as payment in full or you may elect, without prejudicing your rights, to accept the offer as an advance payment.

The following is a summary of the offer:

1. The value of the land and improvements within the acquisition area:	\$300.00
2. The loss in value to your remaining property:	\$0.00
3. Cost to cure:	\$0.00
4. Temporary easement rental value:	\$100.00
TOTAL OFFER OF JUST COMPENSATION:	\$400.00

Included in the acquired area are the following improvements:

asphalt

A description of the area and real estate interest to be acquired is shown on the enclosed map.

You may accept the offer as payment in full or you may reject the offer as payment in full and instead elect to accept such offer as an advance payment. Such election shall in no way prejudice your right to claim additional compensation. However, your failure to file a claim within the time of filing claims, as provided in paragraph (B) of section five hundred three of the Eminent Domain Procedure Law, shall be deemed an acceptance of the amount paid as full settlement of such claim.

On acceptance of this offer or an adjusted offer, the City of Binghamton will enter into a purchase agreement with you providing for payment of either the full or advance amount. Your rights to payment will not be conditioned on a waiver of any other rights.

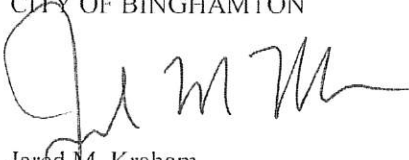
The City of Binghamton has hired R. K. Hite & Co., Inc. a right of way consulting firm, to conduct negotiations on our behalf. The specialist will review the offer with you and explain the valuation and acquisition processes, including payment procedures. In addition, the specialist will provide details about the proposed construction and the project schedule. Every effort will be made to answer your questions and help you through the process.

The right of way specialist assigned to this project is Tyler Hite. Please contact him at 585-281-1394 or his email tylerhite@rkhite.com if you have any questions.

Thank you for your cooperation in this matter.

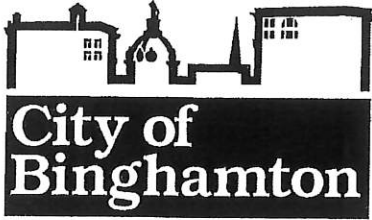
Sincerely,

CITY OF BINGHAMTON



Jared M. Kraham
City Mayor

Enc.



Mayor Jared M. Kraham

Ronald B. Lake, P.E., City Engineer

Franco Incitti, Assistant City Engineer

4 Main Street LLC
279 Front Street
Binghamton, NY 13905

Re: PIN 9754.37 – Main Street Corridor Safety Improvement Project
Map No. 09, Tax ID No. 160.40-1-27
Binghamton, County of Broome, New York

Dear Property Owner:

The City of Binghamton is in the process of acquiring real property rights necessary for the PIN 9754.37 – Main Street Corridor Safety Improvements Project. This letter is the city’s official offer to acquire real property rights from a portion of your property for the project.

The offer is based on an appraisal report prepared by a New York State Certified General Real Estate Appraiser. A qualified review appraiser has reviewed the appraisal report. The City has established an amount that represents “just compensation” for the property interest to be acquired. This amount includes the compensation for the interest to be acquired, improvements, if any, and all legal damages that may be caused to your remaining holdings.

The offer of just compensation is \$800.00. As required by federal and state law, the offer represents the approved appraisal amount. Payment will be made together with appropriate interest. You may accept the offer as payment in full or you may elect, without prejudicing your rights, to accept the offer as an advance payment.

The following is a summary of the offer:

1. The value of the land and improvements within the acquisition area:	\$800.00
2. The loss in value to your remaining property:	\$0.00
3. Cost to cure:	\$0.00
4. Temporary easement rental value:	\$0.00
TOTAL OFFER OF JUST COMPENSATION:	\$800.00

Included in the acquired area are the following improvements:

none

A description of the area and real estate interest to be acquired is shown on the enclosed map.

You may accept the offer as payment in full or you may reject the offer as payment in full and instead elect to accept such offer as an advance payment. Such election shall in no way prejudice your right to claim additional compensation. However, your failure to file a claim within the time of filing claims, as provided in paragraph (B) of section five hundred three of the Eminent Domain Procedure Law, shall be deemed an acceptance of the amount paid as full settlement of such claim.

On acceptance of this offer or an adjusted offer, the City of Binghamton will enter into a purchase agreement with you providing for payment of either the full or advance amount. Your rights to payment will not be conditioned on a waiver of any other rights.

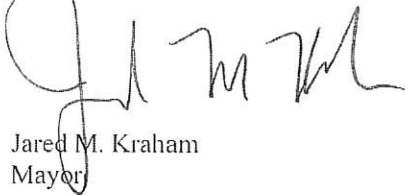
The City of Binghamton has hired R. K. Hite & Co., Inc. a right of way consulting firm, to conduct negotiations on our behalf. The specialist will review the offer with you and explain the valuation and acquisition processes, including payment procedures. In addition, the specialist will provide details about the proposed construction and the project schedule. Every effort will be made to answer your questions and help you through the process.

The right of way specialist assigned to this project is Tyler Hite. Please contact him at 585-281-1394 or his email tylerhite@rkhite.com if you have any questions.

Thank you for your cooperation in this matter.

Sincerely,

CITY OF BINGHAMTON



Jared M. Kraham
Mayor

Enc.

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

MAP NO. 9
PARCEL NO. 9
SHEET 1 OF 2 SHEETS

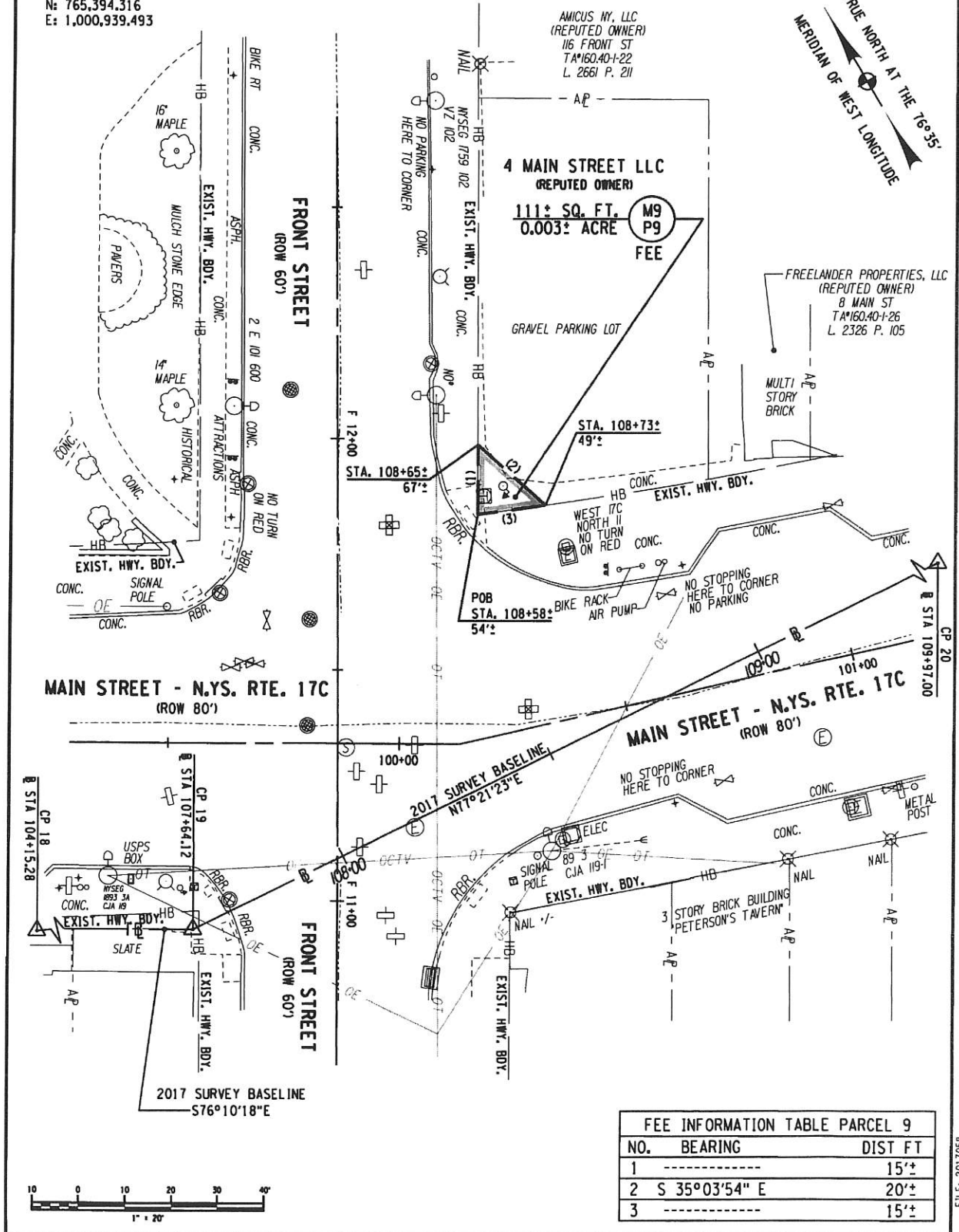
MAP REFERENCE INFORMATION:

Sheets 32-48 of the NYSDOT record plan set entitled "Reconstruction on Route 11" Contract Number D253444, Dated May 24, 1990.

Parcel Locator Point:
Parcel No: 9
N: 765,394.316
E: 1,000,939.493

4 MAIN STREET LLC
(REPUTED OWNER)
CCD L. 2546 P. 626
TRN 9

PARCEL SUMMARY:
FEE
Portion of 2022 Tax Map
Ref. No. 160.40-1-27
City of Binghamton
County of Broome
State of New York

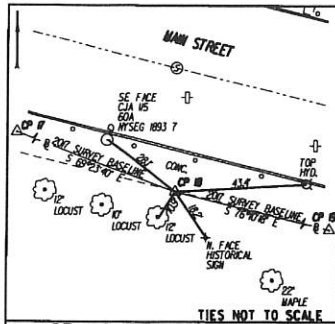


CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

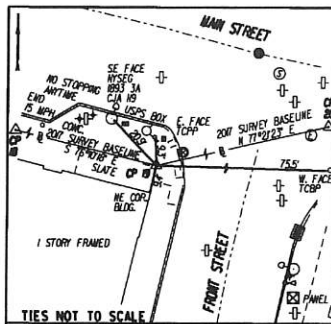
MAP NO. 9
PARCEL NO. 9
SHEET 2 OF 2 SHEETS



CP 18 STA. 104+15.28

CP 18 IS A REBAR W/R/W/ CAP ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 380 FEET WESTERLY FROM THE INTERSECTION OF FRONT STREET AND MAIN STREET.

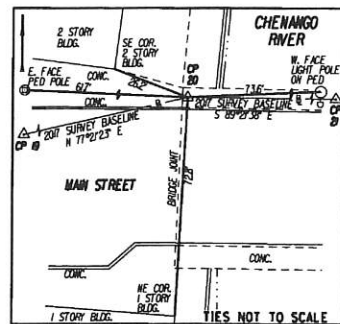
NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 765,404.770
EASTING 1,000,520.428



CP 19 STA. 107+64.12

CP 19 IS A MAG HUB ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED SOUTHWESTERLY CORNER OF FRONT STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 765,321.391
EASTING 1,000,859.163



CP 20 STA. 109+97.00

CP 20 IS A MAG HUB ON THE NORTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 185 FEET EASTERLY FROM THE INTERSECTION OF FRONT STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 765,372.364
EASTING 1,001,086.390

All that piece or parcel of property designated as Parcel No. 9, as shown on the accompanying map, to be acquired in Fee.



4 MAIN STREET LLC
(REPUTED OWNER)

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date _____ 20 ____

Jared M. Kraham
Mayor of Binghamton
New York

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

Date October 31 2022

David J. Honnick

David J. Honnick, Land Surveyor
N.Y.S.P.L.S. License No. 050966
Ravi Engineering & Land Surveying, P.C.

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

MAP NO. 8
PARCEL NO. 8
SHEET 1 OF 2 SHEETS

MAP REFERENCE INFORMATION:

Sheets 32-48 of the NYS DOT record plan set entitled "Reconstruction on Route 11" Contract Number D253444, Dated May 24, 1990.

LUCKY 13 ACQUISITION, LLC

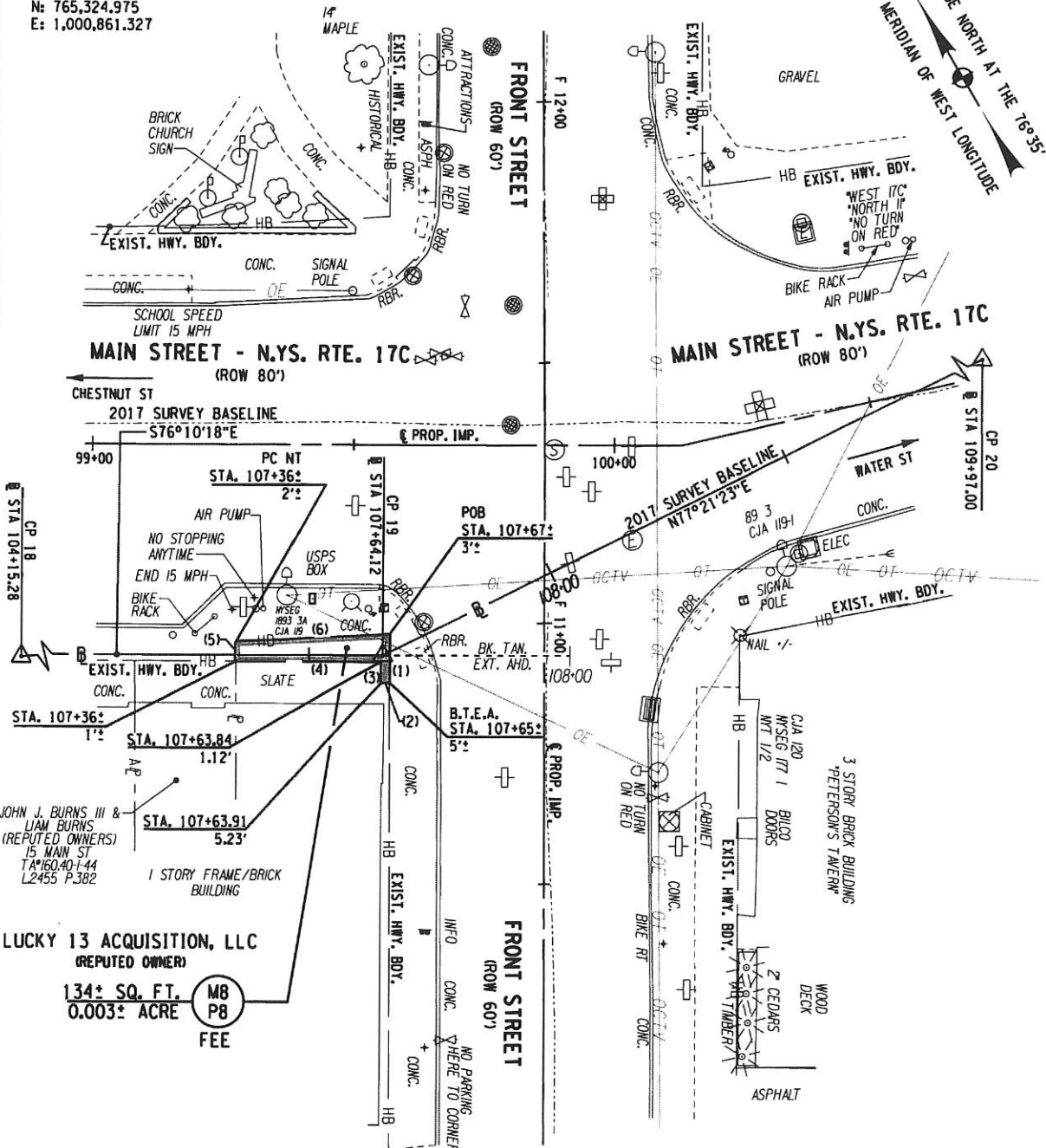
(REPUTED OWNER)
CCD L. 2438 P. 512
TRN 8

PARCEL SUMMARY:

FEE
Portion of 2022 Tax Map
Ref. No. 160.40-1-45
City of Binghamton
County of Broome
State of New York

Parcel Locator Point:

Parcel No: 8
N: 765,324,975
E: 1,000,861,327



JOHN J. BURNS III &
LIAM BURNS
(REPUTED OWNERS)
15 MAIN ST
TA 160.40-1-44
L2455 P.382

LUCKY 13 ACQUISITION, LLC
(REPUTED OWNER)
134± SQ. FT. (M8 P8)
0.003± ACRE FEE

B.T.E.A. = BACK TANGENT EXTENDED AHEAD

NO.	BEARING	DIST FT
1	-----	9±'
2	N 77°04'49" W	2±'
3	N 12°49'06" E	4±'
4	N 76°11'32" W	28±'
5	-----	4±'
6	-----	29±'



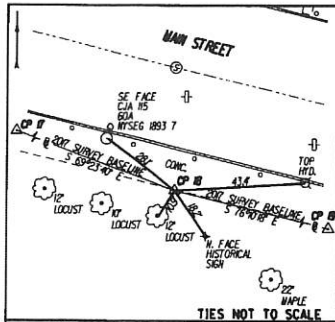
FILE: 2017058

CITY OF BINGHAMTON
ACQUISITION MAP

CITY OF BINGHAMTON:
MAIN STREET

PIN 9754.37

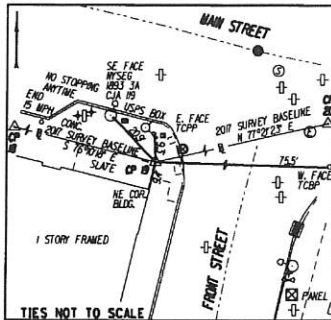
MAP NO. 8
PARCEL NO. 8
SHEET 2 OF 2 SHEETS



TIES NOT TO SCALE
CP 18 STA. 104+15.28

CP 18 IS A REBAR (R/RAY) CAP ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 300 FEET WESTERLY FROM THE INTERSECTION OF FRONT STREET AND MAIN STREET.

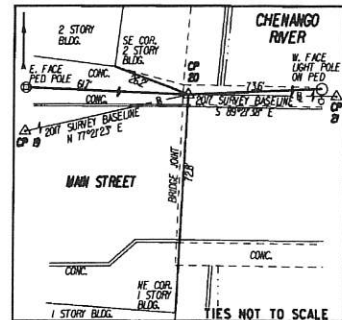
NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 765,404.770
EASTING 1,000,520.428



TIES NOT TO SCALE
CP 19 STA. 107+64.12

CP 19 IS A MAG HUB ON THE SOUTHERLY SIDE OF MAIN STREET, LOCATED SOUTHWESTERLY CORNER OF FRONT STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 765,321.391
EASTING 1,000,859.163



TIES NOT TO SCALE
CP 20 STA. 109+97.00

CP 20 IS A MAG HUB ON THE NORTHERLY SIDE OF MAIN STREET, LOCATED APPROX. 185 FEET EASTERLY FROM THE INTERSECTION OF FRONT STREET AND MAIN STREET.

NYSPCS NAD 83(2011) CENTRAL ZONE
NAVD 88
NORTHING 765,372.364
EASTING 1,001,086.390

All that piece or parcel of property designated as Parcel No. 8, as shown on the accompanying map, to be acquired in Fee.



LUCKY 13 ACQUISITION, LLC
(REPUTED OWNER)

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date _____ 20____

Jared M. Kraham
Mayor of Binghamton
New York

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

Date October 31 2022

David J. Honnick

David J. Honnick, Land Surveyor
N.Y.S.P.L.S. License No. 050966
Ravi Engineering & Land Surveying, P.C.



Mayor Jared M. Kraham

Ronald B. Lake, P.E., City Engineer

Franco Incitti, Assistant City Engineer

Lucky 13 Acquisition, LLC
279 Front Street
Binghamton, NY 13901

Re: PIN 9754.37 – Main Street Corridor Safety Improvement Project
Map No. 08, Tax ID No. 160.40-1-45
Binghamton, County of Broome, New York

Dear Property Owner:

The City of Binghamton is in the process of acquiring real property rights necessary for the PIN 9754.37 – Main Street Corridor Safety Improvements Project. This letter is the city’s official offer to acquire real property rights from a portion of your property for the project.

The offer is based on an appraisal report prepared by a New York State Certified General Real Estate Appraiser. A qualified review appraiser has reviewed the appraisal report. The City has established an amount that represents “just compensation” for the property interest to be acquired. This amount includes the compensation for the interest to be acquired, improvements, if any, and all legal damages that may be caused to your remaining holdings.

The offer of just compensation is \$1,400.00. As required by federal and state law, the offer represents the approved appraisal amount. Payment will be made together with appropriate interest. You may accept the offer as payment in full or you may elect, without prejudicing your rights, to accept the offer as an advance payment.

The following is a summary of the offer:

1. The value of the land and improvements within the acquisition area:	\$1,400.00
2. The loss in value to your remaining property:	\$0.00
3. Cost to cure:	\$0.00
4. Temporary easement rental value:	\$0.00
TOTAL OFFER OF JUST COMPENSATION:	\$1,400.00

Included in the acquired area are the following improvements:

none

A description of the area and real estate interest to be acquired is shown on the enclosed map.

You may accept the offer as payment in full or you may reject the offer as payment in full and instead elect to accept such offer as an advance payment. Such election shall in no way prejudice your right to claim additional compensation. However, your failure to file a claim within the time of filing claims, as provided in paragraph (B) of section five hundred three of the Eminent Domain Procedure Law, shall be deemed an acceptance of the amount paid as full settlement of such claim.

On acceptance of this offer or an adjusted offer, the City of Binghamton will enter into a purchase agreement with you providing for payment of either the full or advance amount. Your rights to payment will not be conditioned on a waiver of any other rights.

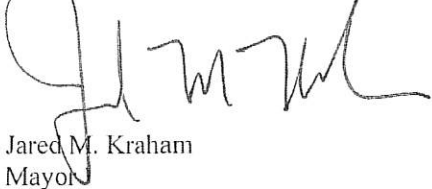
The City of Binghamton has hired R. K. Hite & Co., Inc. a right of way consulting firm, to conduct negotiations on our behalf. The specialist will review the offer with you and explain the valuation and acquisition processes, including payment procedures. In addition, the specialist will provide details about the proposed construction and the project schedule. Every effort will be made to answer your questions and help you through the process.

The right of way specialist assigned to this project is Tyler Hite. Please contact him at 585-281-1394 or his email tylerhite@rkhite.com if you have any questions.

Thank you for your cooperation in this matter.

Sincerely,

CITY OF BINGHAMTON



Jared M. Kraham
Mayor

Enc.



Legislative Branch

RL Number:	23-197
Date Submitted:	9/12/23

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

Applicant Presenting RL at Work Session

Billie J. Goodson Business Manager 607-729-2975
 (Print Name) (Title) (Phone number)

Signature: Billie J. Goodson Date: 09/12/2023

To Be Completed By Applicant

Proposed Title: An ordinance to amend the 2023 BJCJSB budget to increase increase ES8130.XXXXXX HLine Prof. Svcs and Repair to repair an Emseal leak and reinforce Emseals in various other locations on the HLine.

Executive Summary (Explain why legislation is necessary): The Binghamton-Johnson City Joint Sewage Board requests that the Owners pass legislation to amend the 2023 Budget to increase ES8130.XXXXXX HLine Prof. Svcs and Repair by \$250,000.00 and decrease ES8130.55000 Contingency by \$250,000.00 (backup attached).

Effective Date: (if applicable) _____

Budget transfer or amendment: RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

RL related to a grant: RL Grant Worksheet **must** be attached. Deadline for Council to act by: _____

RL related to previously adopted legislation: Perm. number _____, adoption date _____

Contract: Person/Company _____ Start/End Date _____

Total Cost _____ Funds available in Budget Line _____ Title _____

Public Hearing required? Yes No **SEQRA required?** Yes No

Additional information related to this RL attached? Yes No

OFFICE USE ONLY	
Mayor:	_____
Comptroller:	_____
Corp. Counsel:	_____
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



CITY OF BINGHAMTON

Request for Transfer of Funds

Transfer requests of \$2,500 or less must be approved by the Comptroller.
 Transfer requests over \$2,500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
 Transfer requests in excess of \$10,000 must be approved by City Council.

This worksheet must be attached to any RL submitted to the Clerk's Office that includes a budget funding transfer or amendment. For additional instructions, see 'RL Instructions' document. Incomplete/incorrect RLs to be returned to applicant for revisions. Additional transfer lines in the same format may be attached.

Adopted Budget Year Amended: 2023

Department: BICJSTP

Department Head Signature: Billie J. Goodson

Transfer From (Decrease)		Transfer To (Increase)	
Amount	Budget Line Title	Amount	Budget Line Title
\$ 250,000.00	ES8130.55000 Contingency	\$ 250,000.00	ES8130.XXXXX HL.me Prof. Svcs and Repair
\$		\$	
\$		\$	

Revenue & Fund Balance Amendments	
Amount	Revenue/Expense / Fund Balance
\$	
\$	

Office Use Only for Transfers Under \$10,000

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature: _____ Date: _____

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer.

Signature: _____ Date: _____

Transfer of funds Approved ___ / ___ / ___ on ___ / ___ / ___ Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: _____ Date: _____

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached

Signature: _____ Date: _____



Legislative Branch

RL Number:
23-199
Date Submitted:
9/13/23

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

Applicant Presenting RL at Work Session

Juliet Berling Director PHCD (607) 772-7028
 (Print Name) (Title) (Phone number)
 Signature: Juliet Berling Date: 09/13/2023

To Be Completed By Applicant

Proposed Title: AN ORDANANCE TO AMEND R23-56 TO INCREASE REVENUE/BUDGET LINES BY \$10,000

Executive Summary (Explain why legislation is necessary):

BROOME COUNTY HAS AWARDED AN ADDITIONAL \$10,000 TO THE CITY FROM THE CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT

Effective Date: (if applicable) _____

Budget transfer or amendment: RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

RL related to a grant: RL Grant Worksheet **must** be attached. Deadline for Council to act by: _____

RL related to previously adopted legislation: Perm. number 12 23-56, adoption date 7/26/23

Contract: Person/Company _____ Start/End Date _____

Total Cost _____ Funds available in Budget Line _____ Title _____

Public Hearing required? Yes No

SEQRA required? Yes No

Additional information related to this RL attached? Yes No

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corp. Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



CITY OF BINGHAMTON

Request for Transfer of Funds

Transfer requests of \$2500 or less must be approved by the Comptroller.
 Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
 Transfer requests in excess of \$10,000 must be approved by City Council.

This worksheet must be attached to any RL submitted to the Clerk's Office that includes a budget funding transfer or amendment. For additional instructions, see 'RL Instructions' document.
 Incomplete/incorrect RLs to be returned to applicant for revisions. Additional transfer lines in the same format may be attached.

Adopted Budget Year Amended: 2023 Department: PHCD

Department Head Signature: _____

Transfers			
Amount	Transfer From (Decrease) Budget Line	Transfer To (Increase) Budget Line	Budget Line Title
\$			

Revenue & Fund Balance Amendments			
Amount	Increase/Decrease	Revenue/Expense / Fund Balance	Budget Line Title
\$10,000	Increase	Fund Balance	PROF SER.- PLANNING
	Increase	Expense	GRANT OTHER GOV.

Office Use Only for Transfers Under \$10,000

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer.

Transfer of funds Approved ___ / Denied ___ on ___ / ___ / ___. Certified by the Secretary of the Board of Estimate and Apportionment.

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____



**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 MAYOR
TO ACCEPT A HEALTHY SCHOOLS AND
COMMUNITIES GRANT FROM THE BROOME
COUNTY HEALTH DEPARTMENT**

WHEREAS, the City of Binghamton is eligible for the Healthy Schools and Communities Grant from the Broome County Health Department in the amount of \$20,000 to be used to update the Complete Street Policy, develop the Complete Street Policy action plan, and complete Street projects; and

WHEREAS, the Grant does not require a local match; the grant funds will be reimbursable, and the Grant will be administered by the Director of Planning, Housing and Community Development or her designee; and the estimated date of completion will be May 31, 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 accept the healthy schools and communities grant from the Broome County Health Department in the amount of \$20,000 and will be available in the budget lines for this purpose as follows:

- (i) \$20,000 increase expense budget line H8684.54410.C0045 (Pro.Ser. – Planning)
- (ii) \$20,000 increase revenue budget line H.42706.C0045 (Grant Other Gov.)

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

Chuck Shager, Comptroller

Introductory No. R23-58

Permanent No. R23-56

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

A RESOLUTION AUTHORIZING THE MAYOR TO
ACCEPT A HEALTHY SCHOOLS AND
COMMUNITIES GRANT FROM THE BROOME
COUNTY HEALTH DEPARTMENT

The within Resolution was adopted by the Council of
the City of Binghamton.

7/26/23
Date

Jain Faulkner
City Clerk

7/27/23
Date Presented to Mayor

7/27/23
Date Approved

J. M. K.
Mayor

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti				✓
Councilwoman Riley				✓
Councilwoman Friedman				✓
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanton	✓			
Councilman Scaringi	✓			
Total	4	0	0	3

Code of the City of Binghamton

Adopted Defeated

4 Ayes 0 Nays 0 Abstain 3 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 7/26/23. Approved by the Mayor on 7/27/23 JK



Legislative Branch

RL Number:
23-200

Date Submitted:
9/13/23

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

Applicant Presenting RL at Work Session

Juliet Berling Director PHCD (607) 772-7028
 (Print Name) (Title) (Phone number)

Signature: Juliet Berling Date: 09/13/2023

To Be Completed By Applicant

Proposed Title: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH EDR FOR CHANGE ORDER No. 1 NOT TO EXCEED \$39,000 REGARDING THE ROSS PARK CAROUSEL SHELTER CONDITION ASSESSMENT AND NEW SHELTER DESIGN

Executive Summary (Explain why legislation is necessary): SHPO HAS REQUESTED THE CITY OF BINGHAMTON PROVIDE A DOCUMENTED DETAILED EVALUATION OF THE CONDITION OF THE EXISTING CAROUSEL SHELTER FOR CODE DEFICIENCIES AND CONDITION OF EXISTING MATERIALS, AND IF DETERMINED TO BE UNABLE TO RELOCATE, DEVELOP A DESIGN FOR A NEW SHELTER..

Effective Date: (if applicable) _____

Budget transfer or amendment: RL Budget Transfer Worksheet must be attached w/ Dep. Head signature.

RL related to a grant: RL Grant Worksheet must be attached. Deadline for Council to act by: _____

RL related to previously adopted legislation: Perm. number R22-31, adoption date 4/20/22

Contract: Person/Company EDR Start/End Date R10-31 2/3/110

Total Cost \$39,000 Funds available in Budget Line H77110.555555.PK010 Title Ross Park Carousel Grant

Public Hearing required? Yes No **SEQRA required?** Yes No

Additional information related to this RL attached? Yes No

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corp. Counsel: Michelle Schwartz

Finance Planning MPA PW/Parks Employees Rules/Special Studies



Legislative Branch

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

GRANT APPLICATION WORKSHEET

*The Request for Legislation must include the project title and the purpose of the grant.
Please provide the following additional information.*

Agency providing the grant: NYS SHPO EPF

Total project cost: \$1,965,600

Total amount of grant: \$500,000

Local match (if any): \$125,000

If local match is monetary, provide the budget line and title: H77110.555555.PK010

If local match is "in kind", provide the anticipated personnel and hours to be dedicated to the project:

Disbursement of grant (upfront, reimbursable?): REIMBURSABLE

Grant Budget Line: H77110.555555.PK010

Grant project manager: PAT MCGINNIS/JULIET BERLING

Anticipated date of project completion: _____

Special project completion requirements (if any): _____

Attach any required form of Resolution from the Agency providing the grant.

Please provide any additional information in the space provided below, including any other government agency or private partner participating in the grant, along with a description of such participation:



September 12, 2023

Dr. Juliet Berling
Director Planning, Housing and Community Development
City of Binghamton
38 Hawley Street
Binghamton, NY 13901
jmberling@cityofbinghamton.gov

**RE: Ross Park Carousel Restoration and Relocation
City of Binghamton, Broome County, New York
EDR Project No. 22223
Professional Services Proposal – Conditions Assessment and Preliminary Design**

Dear Juliet:

Environmental Design & Research, Landscape Architecture, Engineering, & Environmental Services, D.P.C. (EDR) is pleased to provide this proposal for a Conditions Assessment and Preliminary Design services in association with the Ross Park Carousel Restoration and Relocation, located in the City of Binghamton, Broome County, New York (hereafter, the Project). EDR has previously prepared a Restoration and Relocation Plan under a contract with the City of Binghamton (hereafter, the City) dated August 24, 2022. The services described below are provided as a change order to this existing contract.

Project Understanding

The City submitted the Restoration and Relocation Plan to the New York State Historic Preservation Office (NYSHPO) in March 2023. On April 6, 2023, the NYSHPO provided a response indicating the following:

At this time, we have no substantive comments or requested changes to these documents. Please keep in mind that continued consultation with our office is necessary for the National Register requirement portion of this project as well as the grant-funded portion of our project. Our office is aware of the new proposed location but cannot offer a formal determination of eligibility/re-listing of the structure until the move is complete. Our grants team will engage with the Survey and National Register unit as necessary to help coordinate these details of the project.

Subsequent to this correspondence, the City and NYSHPO continued consultation regarding the Project. The Restoration and Relocation Plan submitted to NYSHPO was prepared under the assumption that the carousel housing would need to be disassembled, moved and reassembled

at a new site. However, as described in July 31, 2023 correspondence, the NYSHPO will allow for a newly constructed housing as long as specific conditions are met:

We affirm that this project must be completed according to the original scope that was funded and the agreed upon grant contract. If the condition of the housing has worsened considerably, this must be documented accordingly. Any new housing constructed around the relocated carousel must utilize the Secretary of the Interior's Standards for Reconstruction and a schematic design must be reviewed by the State Historic Preservation Office (SHPO) prior to undertaking any work. A fully enclosed and winterized new structure is not an eligible expense for this grant program and will jeopardize the carousel's National Register status.

The following scope of services is provided based on these conditions from NYSHPO.

Proposed Scope of Work

Task 1. Conditions Assessment

EDR will conduct an additional site visit to supplement and expand on the condition assessment that was completed as part of the Restoration and Relocation Plan. The assessment will:

- Provide a more detailed evaluation of the existing shelter by further documenting the existing material condition and details of construction;
- Include a desktop evaluation of the existing shelter to determine if it complies with current building code requirements; and
- Include a feasibility assessment regarding the structural integrity of the shelter, to determine if it is able to be reassembled in its new location.

The findings of the conditions assessment will be documented in an illustrated report, suitable for submission to NYSHPO.

Task 2. Preliminary Schematic Design

Based on the findings of the conditions assessment, EDR will prepare a preliminary schematic design for a relocated shelter that is constructed either of entirely new materials or a combination of new and existing materials. EDR will provide schematic level drawings that will indicate the shelter layout, materials of construction, and extent of reuse of existing materials as possible.

In addition, EDR will prepare a rendering of the proposed carousel structure and surrounding site based on the preliminary design compatible with the proposed site design. The rendering will also

include the layout of all relevant landscape and site features as depicted in the Restoration and Relocation Plan previously prepared by EDR. It is anticipated that these schematic level drawings and rendering will be utilized to obtain NYSHPO approval of the proposed structure prior to moving into full Design Development phase.

Task 3. Cultural Resources Consultation and Coordination

Due to the historic nature of the carousel and shelter, and its inclusion on the National Register of Historic Places, the proposed Conditions Assessment and Schematic Design will require close consultation with the NYSHPO. As noted in the July 31, 2023 NYSHPO correspondence, and due to the historic nature of the carousel, all proposed work must meet the Secretary of the Interior's Standards for Restoration and Reconstruction. Ross Park and its carousel have also been designated by the City of Binghamton's Commission on Architecture and Urban Design (CUAD) as Local Landmarks. The proposed restoration and relocation of the carousel will also require coordination with and approval from the CUAD.

Schedule

EDR will initiate work on the scope of services described herein following approval of the change order by the City. EDR will work with the City to develop a schedule that will meet any relevant permitting or funding deadlines.

Compensation

EDR proposes to complete the tasks in this scope of services on a lump-sum basis for **\$39,000**. This fee includes reimbursable expenses associated with travel and equipment, based on EDR's current rate schedule. A breakdown of the anticipated fee by task is presented below (for Client information only, not for billing purposes).

Task	Fee
Task 1. Conditions Assessment	\$ 13,000
Task 2. Preliminary Schematic Design	\$ 23,000
Task 3. Cultural Resources Consultation	\$ 3,000
Total	\$39,000

This proposed scope of services and fee does not include any other service not explicitly set forth herein. A scope and cost proposal for additional services will be provided if requested by the Client. Any services necessary beyond those presented in this cost estimate shall not be conducted until mutually agreed upon by the Client and EDR.

Dr. Juliet Berling
September 12, 2023

EDR sincerely appreciates the opportunity to submit this proposal and looks forward to continuing work with you on advancing this important Project. Please contact Grant Johnson at gjohnson@edrdpc.com or 315-530-3865 if you have any comments or questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Grant Johnson', with a long horizontal flourish extending to the right.

Grant Johnson
Historic Preservation Services Leader
Environmental Design & Research, D.P.C. (EDR)

Introductory No. R22-37

Permanent No. R22-37

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

A RESOLUTION AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH
ENVIRONMENTAL DESIGN & RESEARCH, DPC
FOR THE ROSS PARK CAROUSEL
RESTORATION AND RELOCATION PROJECT

The within Resolution was adopted by the Council of
the City of Binghamton.

Date 4/29/22

[Signature]
City Clerk

Date Presented to Mayor 4/21/22

Date Approved 4/21/22

Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi				✓
Councilwoman Resciniti				✓
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Scanlon	✓			
Councilman Strawn	✓			
Total	5	0	0	2

Code of the City of Binghamton

Adopted Defeated

5 Ayes 0 Nays 0 Abstain 2 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 4/20/22 Approved by the Mayor on 4/21/22 [Signature]



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

Date: February 3, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, Cronce, Taylor, Berg

Introduced by Committee: Public Works/Parks

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ACCEPT A GRANT IN THE AMOUNT OF
\$500,000 FROM THE NEW YORK STATE
OFFICE OF PARKS, RECREATION AND
HISTORIC PRESERVATION TO RENOVATE
AND RELOCATE THE ROSS PARK CAROUSEL
RENOVATION & RELOCATION

WHEREAS, the City of Binghamton is eligible to receive a \$500,000 grant from the New York State Office of Parks, Recreation and Historic Preservation through the Environmental Protection Fund Municipal Grant Program to renovate and relocate the Ross Park Carousel; and

WHEREAS, there is no required City match; that, pending reimbursement, funding for the project shall be drawn from the general fund; that the Commissioner of Parks and Recreation will be the grant project manager; and that the anticipated date of project completion is May 29, 2017; and

WHEREAS, the City wishes to accept said grant.

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

RESOLVE that the Council of the City of Binghamton does hereby accept a grant from the New York State Office of Parks, Recreation and Historic Preservation through the Environmental Protection Fund Municipal Grant Program in the amount of \$500,000 to renovate and relocate the Ross Park Carousel; and be it further

RESOLVED that there is no required City match; that, pending reimbursement, funding for the project shall be drawn from the general fund; that the Commissioner of Parks and Recreation will be the grant project manager; and that the anticipated date of project completion is May 29, 2017; and be it further

RESOLVED that the Mayor, or his designee, is hereby authorized to enter into and execute an agreement, approved as to form and content by the Office of Corporation Counsel, with the New York State Office of Parks, Recreation and Historic Preservation to accept such grant.

Introductory No. R16-31

Permanent No. 21631

Sponsored by City Council Members:
Mihalcko, Matzo, Papastrat, Scaringi, Cronce, Taylor, Berg

A RESOLUTION AUTHORIZING THE MAYOR TO
ACCEPT A GRANT IN THE AMOUNT OF \$500,000
FROM THE NEW YORK STATE OFFICE OF
PARKS, RECREATION AND HISTORIC
PRESERVATION TO RENOVATE AND
RELOCATE THE ROSS PARK CAROUSEL
RENOVATION & RELOCATION

The within Resolution was adopted by the Council of
the City of Binghamton.

2/3/10

Date

[Signature]
City Clerk (Deputy)

2/4/10

Date Presented to Mayor

2/4/10
Date Approved
[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilman Mihalcko	✓			
Councilwoman Cronce	✓			
Councilman Taylor	✓			
Councilman Matzo	✓			
Councilman Berg	✓			
Councilman Papastrat	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 2/3/10. Approved by the Mayor on 2/4/10.

Task 3. Cultural Resources Consultation and Coordination

Due to the historic nature of the carousel and shelter, and its inclusion on the National Register of Historic Places, the proposed Conditions Assessment and Schematic Design will require close consultation with the NYSHPO. As noted in the July 31, 2023 NYSHPO correspondence, and due to the historic nature of the carousel, all proposed work must meet the Secretary of the Interior's Standards for Restoration and Reconstruction. Ross Park and its carousel have also been designated by the City of Binghamton's Commission on Architecture and Urban Design (CUAD) as Local Landmarks. The proposed restoration and relocation of the carousel will also require coordination with and approval from the CUAD.

Schedule

EDR will initiate work on the scope of services described herein following approval of the change order by the City. EDR will work with the City to develop a schedule that will meet any relevant permitting or funding deadlines.

Compensation

EDR proposes to complete the tasks in this scope of services on a lump-sum basis for **\$39,000**. This fee includes reimbursable expenses associated with travel and equipment, based on EDR's current rate schedule. A breakdown of the anticipated fee by task is presented below (for Client information only, not for billing purposes).

Task	Fee
Task 1. Conditions Assessment	\$ 13,000
Task 2. Schematic Design	\$ 23,000
Task 3. Cultural Resources Consultation	\$ 3,000
Total	\$39,000

This proposed scope of services and fee does not include any other service not explicitly set forth herein. A scope and cost proposal for additional services will be provided if requested by the Client. Any services necessary beyond those presented in this cost estimate shall not be conducted until mutually agreed upon by the Client and EDR.

EDR sincerely appreciates the opportunity to submit this proposal and looks forward to continuing work with you on advancing this important Project. Please contact Grant Johnson at gjohnson@edrdpc.com or 315-530-3865 if you have any comments or questions.

Dr. Juliet Berling
September 12, 2023

Sincerely,

A handwritten signature in black ink, appearing to read 'Grant Johnson', with a long horizontal flourish extending to the right.

Grant Johnson
Historic Preservation Services Leader
Environmental Design & Research, D.P.C. (EDR)



2024

COUNCIL OF THE CITY OF BINGHAMTON, NEW YORK



KEY | 6:00pm Work Sessions are marked in green. | 6:00pm Business Meetings are marked in blue. | 5:00pm Budget Hearings are marked in yellow.

JANUARY						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
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28	29	30	31			

FEBRUARY						
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MARCH						
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APRIL						
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NOVEMBER						
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DECEMBER						
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