



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Chris Papastrat, City Council President
Leighton Rogers, City Clerk

CITY COUNCIL WORK SESSION AGENDA City Council Work Room, 38 Hawley St, Binghamton 6pm Monday, May 2, 2016

The Work Session begins at 6:00pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
6:00pm	Employees	Matzo	RL16-107: Ordinance Amending the 2016 Finance Department Budget	19	Jared Kraham
6:15pm	PW/Parks	Mihalko	RL16-103: Agreement with the BJCJCTP Board for Emergency Confined Space Rescue	1-6	Chief Eggleston
	Finance		RL16-106: Resolution to extend the Time Frame of the SAFER Grant		
6:30pm	Finance	Mihalko	RL16-105: Amending the 2016 Budget to cover costs of the sexual harassment training	7-8	Trish Keppler
6:64pm	Employees	Matzo	RL16-101: Ordinance Amending the 2016 IT Budget	9-10	Lori Clift
7:00pm	MPA	Matzo	*RL16-108: Ordinance authorizing the free disposal of one bulk item per household from May 21-27, 2016	11-14	Terry Kellogg
7:15pm	-----	-----	Discussion: Code Enforcement	-----	Tom Costello & Dani Cronce
7:30pm	MPA	Matzo	*RL16-109: Resolution for 2nd Modification consent order from NYDEC for the BJCJSTP	20-28	Gary Holmes
7:45pm	Finance	Mihalko	RL16-102: Ordinance Amending the 2016 Budget to fund Demolitions	15-18	Jared Kraham
			RL16-104: Agreement with First Ward Action Council Inc. for use of FY41 CDBG funds for a Senior Home Repair program		
8:00pm	-----	-----	Discussion: Pending Legislation	-----	Council President

COMMITTEE REPORTS

**Please Expedite for Next Business Meeting*



Legislative Branch

RL Number:
14-103
Date Submitted:
4/26/2010

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 consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Daniel Eggleston
Title/Department: Fire Chief/ Fire Department
Contact Information: Fire Administration

RL Information

Proposed Title: A Resolution Authorizing The Mayor To Enter Into An Agreement With The Binghamton - Johnson City Joint Sewage Board For Emergency Confined Space Rescue

Suggested Content: The Binghamton Fire Department provides emergency confined space rescue. Binghamton - Johnson City Joint Sewage Board has requested that we enter into a contract with them to provide these services. The Fire Department has provided these services to the JSTP since 2009 and is willing to continue in accordance with the attached contract.

Additional Information

Does this RL concern grant funding? Yes No
If 'Yes', is the required RL Grant Worksheet attached? Yes No
Is additional information related to the RL attached? Yes No
Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY
Mayor: _____
Comptroller: _____
Corporation Counsel: _____
Finance Planning MPA PW/Parks Employees Rules/Special Studies

MUNICIPAL COOPERATION AGREEMENT FOR
EMERGENCY CONFINED SPACE RESCUE

PARTIES:

Binghamton Johnson City Joint Sewage Board ("the Board")
4480 Old Vestal Road
Vestal, New York 13850

and

City of Binghamton ("the City")
City Hall
38 Hawley Street
Binghamton, NY 13901

RECEIVED
APR 30 2015
BY: 

RECITALS:

- The Binghamton Johnson City Joint Sewage Board ("Board") operates the Binghamton Johnson City Joint Sewage Treatment Plant ("the Plant") at 4480 Old Vestal Road and 3936 Gates Road, both in the Town of Vestal, and desires to provide for first responder rescue in any emergency confined space situation.
- The City has a professional fire department which can provide emergency confined space rescue services in compliance with Title 29 Code of Federal Regulations Part 1910.146.

THE PARTIES AGREE AS FOLLOWS:

1. Emergency Confined Space Rescue. The City agrees to provide apparatus, appliances and rescue personnel for the furnishing of confined space rescue to the property when notified by telephone, or any other manner of a confined space emergency within the property, except when required personnel and/or resources are already committed to an active call elsewhere, in which case requested assistance will be provided as soon as practicable thereafter. The City will then respond to the emergency without delay and with apparatus, appliances and rescue personnel, and the City will diligently, in every way reasonable, rescue entrapped personnel.

Furthermore, the City's rescue team will conduct on site rescue training at least once a year.

2. Term of Agreement. This Agreement shall run for a period of one (1) year from June 1, 2015, to May 31, 2016, unless terminated as provided herein.
3. Termination of Agreement. This Agreement may be terminated by either party by giving written notice thirty (30) days prior to the annual anniversary agreement date.

~~To City Council~~

4. Consideration. In consideration of furnishing such protection, the Board will pay the City as follows:

June 1, 2015 – May 31, 2016 - \$4,400 + 100

Said payment shall be made upon execution of this contract. In addition, should the City's rescue team be called to the site for an actual emergency, the Board will pay the City the sum per hour, one hour minimum, with a pro-rated charge for each additional fifteen minute period that the rescue team is requested to respond, as follows:

June 1, 2015 – May 31, 2016 - \$770 per hour + 20

5. Liability. The Board agrees to indemnify and hold the City harmless from any damage, claim or liability, including personal injuries, damage to the Property, the costs and expenses of litigation and reasonable attorney's fees, in relation to the services provided by the City hereunder.

The parties have caused this agreement to be signed by its representatives, after approval by the Board on May 12, 2015, and legislative action by the City which occurred at a duly noticed meeting on May 20, 2015.

CITY OF BINGHAMTON

By: Richard C. David
Richard C. David, Mayor

Dated: 5-15-15

BINGHAMTON-JOHNSON CITY
JOINT SEWAGE BOARD

By: George Kalba
Chairman

Dated: 5-12-15

Charite
Don't W / now
P. 7. 15

**MUNICIPAL COOPERATION AGREEMENT FOR
EMERGENCY CONFINED SPACE RESCUE**

PARTIES:

Binghamton Johnson City Joint Sewage Board (“the Board”)
4480 Old Vestal Road
Vestal, New York 13850

and

City of Binghamton (“the City”)
City Hall
38 Hawley Street
Binghamton, NY 13901

RECITALS:

- The Binghamton Johnson City Joint Sewage Board (“Board”) operates the Binghamton Johnson City Joint Sewage Treatment Plant (“the Plant”) at 4480 Old Vestal Road and 3936 Gates Road, both in the Town of Vestal, and desires to provide for first responder rescue in any emergency confined space situation.
- The City has a professional fire department which can provide emergency confined space rescue services in compliance with Title 29 Code of Federal Regulations Part 1910.146.

THE PARTIES AGREE AS FOLLOWS:

1. Emergency Confined Space Rescue. The City agrees to provide apparatus, appliances and rescue personnel for the furnishing of confined space rescue to the Plant when notified by telephone, or any other manner, of a confined space emergency within the Plant except when required personnel and/or resources are already committed to an active call elsewhere (in which case requested assistance will be provided as soon as practicable thereafter. The City will then respond to the emergency without delay and with apparatus, appliances and rescue personnel, and the City will diligently, in every way reasonable, rescue entrapped personnel.

Furthermore, the City’s rescue team will conduct on site rescue training at least once a year.

2. Term of Agreement. This Agreement shall run for a period of one year from the date of execution, unless terminated as provided herein.
3. Termination of Agreement. This Agreement may be terminated by either party by giving written notice thirty (30) days prior to the annual anniversary agreement date.

4. Consideration. In consideration of furnishing such protection, the Board will pay the City as follows:

Year 1: 1 June 2016 – 31 May 2017 \$4,500

Said payment for Year 1 shall be made upon execution of this contract. In addition, should the City's rescue team be called to the site for an actual emergency, the Board will pay the City the sum per hour, one hour minimum, with a pro-rated charge for each additional fifteen minute period that the rescue team is requested to respond, as follows:

Year 1 - \$790 per hour

5. Liability. The Board agrees to indemnify and hold the City harmless from any damage, claim or liability, including personal injuries, damage to the Property, the costs and expenses of litigation and reasonable attorney's fees, in relation to the services provided by the City hereunder.

The parties have caused this agreement to be signed by its representatives, after approval by the Board on _____ and legislative action by the City which occurred at a duly noticed meeting, on the _____ day of _____, 2016.

CITY OF BINGHAMTON

By: _____
Richard C. David, Mayor

Dated: _____

BINGHAMTON-JOHNSON CITY
JOINT SEWAGE BOARD

By: _____
Chairman

Dated: _____



Legislative Branch

RL Number:

16-106

Date Submitted:

4/27/16

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Daniel Eggleston

Title/Department: Fire Chief/ Fire Department

Contact Information: Fire Administration

RL Information

Proposed Title: A Resolution To Extend The Time Frame Of The SAFER Grant. (EMW-2013-FH-00698)

Suggested Content: The Two Year Safer Grant Awarded To The City Of Binghamton In 2014 Is Due To Expire On 6/15/16. Excess SAFER Grant Funds Of \$276,459.66 Will Remain At that Time. New York State Will Allow The Fire Department To Apply For An Amendment To Use Those Remaining Funds To Extend The Grant Until 10/31/16.

Additional Information

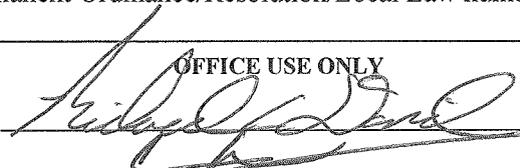
Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R14-18

OFFICE USE ONLY	
Mayor:	
Comptroller:	_____
Corporation 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"/>



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: April 9, 2014

Sponsored by Council Members: Berg, Matzo, Motsavage, Papastrat, Webb, Rennia, Mihalko

Introduced by Committee: Finance

RESOLUTION

entitled
A RESOLUTION AUTHORIZING THE
ACCEPTANCE OF \$1,340,168 FROM THE NEW
YORK STATE SAFER GRANT

WHEREAS, the Fire Chief of the City of Binghamton has requested approval to accept \$1,340,168 from the New York State SAFER (Staffing for Adequate Fire and Emergency Response) Grant Program to hire eight (8) Firefighter positions; and

WHEREAS, these funds will pay 100% of the salary and benefits of eight (8) Firefighter positions for a two (2) year period commencing between May 1, 2014 and June 16, 2014 and ending two (2) years after the commencement date; and

WHEREAS, there is no required City match and the City of Binghamton's Fire Chief will be grant project manager.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office of Corporation Counsel, to accept \$1,340,168 from the New York State SAFER Grant Program.

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 4/9/14. Approved by the
Mayor on 4/14/14.

Introductory No. R14-18

Permanent No. R14-18

Sponsored by City Council Members:

Berg, Matzo, Mott Savage, Papasrat, Webb, Rennia, Mitnalko

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$1,340,168 FROM THE NEW YORK STATE SAFER GRANT

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

APRIL 9, 2014

Date *Douglas Holmes*
City Clerk

APRIL 10, 2014

Date Presented to Mayor

4/14/14

Date Approved

Richard D. Smith
Mayor

	Ayes	Nays	Abstain	Absent
Mott Savage	✓			
Mitnalko	✓			
Rennia				✓
Webb	✓			
Papasrat	✓			
Matzo	✓			
Berg	✓			
Total	6	0	0	1

Code of the City of Binghamton

Adopted Defeated

6 Ayes 0 Nays 0 Abstain 1 Absent



Legislative Branch

RL Number:
16-105
Date Submitted:
4/27/16

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Trish Keppler

Title/Department: Personnel

Contact Information: _____

RL Information

Proposed Title: 2016 Budget Amendment

Suggested Content: 6,875 needs to be transferred from A1990.55000 (contingency) to A1430.54410 (professional services) to cover the extra cost of sexual harassment training. Council requested that we use a different firm than previous one that caused the extra costs.

Additional Information

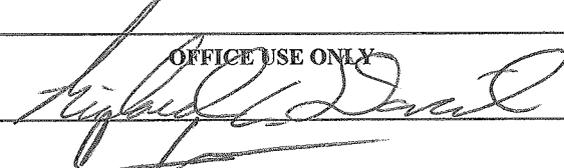
Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:					
Comptroller:	_____				
Corporation 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

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

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.

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 4/22/2016

I respectfully request the below described transfer of funds due to the following reasons:

We budgeted for 4,000 in the training line for sexual harassment, last year council chose to use and

different firm with a cost of \$10,875. Therefore we would like to transfer \$6,875

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A1990.55000 - Contingency	A1430.54410 Professional Services	\$6,875

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: 

Date: 4/26/16

OFFICE USE ONLY

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

Signature: 

Date: 4.22.16

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 / DENIED 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:

16-101

Date Submitted:

4/25/16

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Lori Clift

Title/Department: Information Mgmt & Technology / Finance DP Oper Coord

Contact Information: 772-7014

RL Information

Proposed Title: An ordinance amending the 2016 IT Budget

Suggested Content: An ordinance amending the 2016 IT Budget to create a Digital Technician position at \$36,000/ year effective ⁶⁻⁴⁻²⁰¹⁶ 05/21/2016 and transfer ^{\$20,769} \$22,154 from A1680.51900 Overtime to A1680.51000 Personal Services (Digital Technician) to fund position for the remainder of 2016.

Additional Information

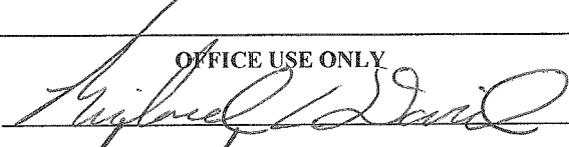
Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

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



CITY OF BINGHAMTON

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

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.*

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 04/20/2016

I respectfully request the below described transfer of funds due to the following reasons:

Create Digital Technician position in IT Department

EFFECTIVE 6.4.2016

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A1680.51900	A1680.51000	\$ 22,454.00 20,769
Overtime	Personal Services (Digital Technician)	

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature:

Date: 4/23/2016

OFFICE USE ONLY

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

Signature:

Date: 4/25/16

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** / **DENIED** 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:
16-108
Date Submitted:
4/28/16

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Terry Kellogg

Title/Department: Commissioner of Public Works

Contact Information: tjkellogg@cityofbinghamton.com

RL Information

Proposed Title: _____

An Ordinance authorizing the free disposal of one bulk item per household from May 21-27, 2016

Suggested Content: _____

Additional Information

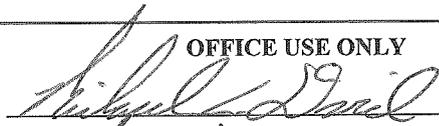
Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

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



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

MAY 4, 2016

Date: ~~October 7, 2015~~

Sponsored by Council Members: Motsavage, Rennia, Mihalko, Webb, Matzo, Berg, Papastrat

Introduced by Committee: Public Works/Parks and Recreation

ORDINANCE

entitled

AN ORDINANCE AUTHORIZING THE FREE
DISPOSAL OF ONE BULK ITEM PER
HOUSEHOLD FROM ~~OCTOBER 13-16, 2015~~

MAY 21-27, 2016

WHEREAS, Chapter 350 of the Code of the City of Binghamton, entitled *Solid Waste*, outlines the regulations pertaining to the disposal of bulky items in the City of Binghamton, and further defines a bulky item as "Any item that does not fit within a City Refuse Bag, Bulky items include, but are not limited to: refrigerators, stoves, microwaves, freezers, washers and dryers, air conditioners, sinks, tubs, toilets, furniture, swing sets, lawn furniture, rugs, and lawn mowers"; and

WHEREAS, in accordance with the Code of the City of Binghamton § 350-24, *Bulky Items*, a bulky item will only be removed by the Department of Public Works if an official "Bulky Item Sticker" has been placed upon the item in question, such stickers being available for purchase through various commercial outlets and the City of Binghamton for a fee; and

WHEREAS, the Council of the City of Binghamton desires to allow the free disposal of one bulk item per household by the City of Binghamton residents as an annual event, on their regularly scheduled garbage collection days, in accordance with the restrictions established below.

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

Section 1. From ~~October 13, 2015~~ ^{MAY 21, 2016} through ~~October 16, 2015~~ ^{MAY 27, 2016}, in accordance with the normal garbage collection schedule, the City of Binghamton shall waive the sticker requirement for one bulk item per household under the following terms and conditions:

One bulk item may include a household item such as furniture (e.g., couch, chair, table, mattress, etc...) or other "Bulky Item" as defined in §350-24. Appliances (washers, dryers, stoves, etc...) are also included – however, for metal appliances or other metal trash items, the City dispatch office must be notified at least one day before scheduled pickup by calling (607) 772-7020.

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

MAY 4, 2016
Date: ~~October 7, 2015~~

For miscellaneous smaller items not suitable for City bags, a container can be used or the material can be bundled and tied. The container or bundled material may not exceed five feet in length or 50 pounds in total weight.

One household item, one container, or bundle of material will constitute one bulk item.

Household electronic items such as computers, monitors, televisions and other electronic devices are not included and must be disposed at one of the available electronic disposal locations.

Hazardous waste such as tires, oil, car batteries, paints, and solvents as well as construction and demolition debris are also prohibited. Earthen material such as soil, stones and masonry are also prohibited.

Section 2. That this Ordinance shall take effect immediately.

Introductory No. 015-69

Permanent No. 015-65

Sponsored by City Council Members:
Motsavage, Rennia, Mihalko, Webb, Matzo, Berg,
Papastrat

AN ORDINANCE AUTHORIZING THE FREE
DISPOSAL OF ONE BULK ITEM PER HOUSEHOLD
FROM OCTOBER 13-16, 2015

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

10/7/15
Date

[Signature]
City Clerk

8 Oct 15
Date Presented to Mayor

10/8/15
Date Approved
[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
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 7 Oct 15. Approved by the
Mayor on 8 Oct 15.

[Signature]



Legislative Branch

RL Number: <u>16-102</u>
Date Submitted: <u>4/25/2016</u>

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Jared Kraham
 Title/Department: Mayor
 Contact Information: _____

RL Information

Proposed Title: AN ORDINANCE TO AMEND THE 2016 BUDGET
 Modify the 2016 Budget TO FUND DEMOLITIONS

Suggested Content: The Street Lighting account will be under budget due to the fact the LED lights were installed much faster than the original plan. The extra funds will be used to demolish the old DPW building on the corner of Brandywine and Robinson St. Transfer \$120,000 from A5182 54202 (Electricity-St Lights) to A1364.54470 Demolition.

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:					
Comptroller:					
Corporation 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

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

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.*

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 4/25/2016

I respectfully request the below described transfer of funds due to the following reasons:
under estimated BAN interest payment and over estimated BAN principal payments

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A5182.54202 Electricity St. Lights	A1364.54470 Demolition	\$ 120,000

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: 

Date: 4.28.16

OFFICE USE ONLY

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

Signature: 

Date: 4.25.16

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 / DENIED 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:
16-104
Date Submitted:
4/26/2016

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 consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Jared M. Kraham
Title/Department: Office of the Mayor
Contact Information: x 7001

RL Information

Proposed Title: A Resolution authorizing the Mayor to enter into an agreement with First Ward Action Council Inc. for use of FY41 CDBG funds in an amount not to exceed \$35,000 for a Senior Home Repair program.
Suggested Content: Budget line: CD8668.533531.CDY41

Additional Information

Does this RL concern grant funding? Yes No
If 'Yes', is the required RL Grant Worksheet attached? Yes No
Is additional information related to the RL attached? Yes No
Is RL related to previously adopted legislation? Yes No
If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation 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"/>

The Broome County Home Repair Service

is a non-profit service by the First Ward Action Council, Inc.
167 Clinton Street • Binghamton NY 13905 • (607) 772-2850

The Home Repair Service for Seniors and the disabled provides labor free of charge, or for a nominal hourly fee, depending on your income.

The resident is responsible for the cost of materials needed to make the repairs.
(Although in some cases grant monies may be available to assist with this cost.)



- Porch & stair repair
- Leaky faucets
- Railings
- Safety devices
- Locks installed
and numerous other jobs



Legislative Branch

RL Number:
116-107
Date Submitted:
4/27/16

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 consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Jared M. Kraham
 Title/Department: Office of the Mayor
 Contact Information: x 7001

RL Information

Proposed Title: Amending the 2016 Budget.
FINANCE DEPARTMENT

Suggested Content: Creating new position, Assistant Comptroller (civil service tested), 40 hrs/week.
Increase Comptroller and Staff Accountant positions to 40 hrs/week.
And to fund such positions as attached.

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

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



CITY OF BINGHAMTON

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

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.

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 4/25/2016

I respectfully request the below described transfer of funds due to the following reasons:
change in number of hours worked.

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A1310.54701 (travel training)	A1310.51000 (pers. services)	\$ 1300
A1310.51900 (OT)	A1310.51000 (pers. services)	\$ 1000

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: [Signature]

Date: 4/29/16

OFFICE USE ONLY

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

Signature: [Signature]

Date: 4-29-16

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 / DENIED 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: _____

A1310.51000	Comptroller	75,130	85,863	10,733		
A1310.51000	Assistant Comptroller	45,750	52,286	6,536		
A1310.51000	Staff Accountant	41,000	46,857	5,857		
A1310.51000	Deputy Comptroller	-45,750	-45,750	0		
A1310.51000	Totals	116,130	139,256	23,126		
	Remainder of 2016			14,231		
A1310.51000	Transfer from other acct			2,300	A1310.54701	Travel/Training
A1310.51000	Unfilled Position			11,931	A1310.51900	OT
						1300
						1000



Legislative Branch

RL Number:
16-109
 Date Submitted:
4/28/16

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 consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Gary R. Holmes
Title/Department: Project Manager/Office of Wastewater Treatment Plant
Contact Information: grholmes@cityofbinghamton.com

RL Information

Proposed Title: A resolution authorizing the Mayor to sign the 2nd modification consent order from NYSDEC for the Binghamton-Johnson City Joint Sewage Treatment Plant (BJCJSTP).

Suggested Content: This consent order modification reflects the change in scope of work and the new time frame to complete the project.

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

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

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

-----X
In the Matter of Violations of Article 17 of the New York State
Environmental Conservation Law and of Title 6 of the Official
Compilation of Codes, Rules, and Regulations of the State of New
York, Parts 703 and 750, by

CITY OF BINGHAMTON,
VILLAGE OF JOHNSON CITY, and
BINGHAMTON-JOHNSON CITY JOINT SEWAGE
BOARD
Vestal (T)
Broome County, New York,

Respondents

SECOND
MODIFICATION
CONSENT
ORDER

CASE NO.
R7-20110628-59

-----X
1. The New York State Department of Environmental Conservation (“the
Department”) is responsible for the administration and enforcement of Article 17 of the New
York State Environmental Conservation Law (“ECL”) and of Title 6 of the Official Compilation
of Codes, Rules, and Regulations of the State of New York (“6 NYCRR”) Parts 703 and 750,
promulgated pursuant thereto.

2. The City of Binghamton (“Respondent Binghamton”) is a municipal corporation
organized and existing under the laws of the State of New York and is located in Broome
County, New York.

3. The Village of Johnson City (“Respondent Johnson City”) is a municipal
corporation organized and existing under the laws of the State of New York and is located in
Broome County, New York.

4. Respondent Binghamton and Respondent Johnson City jointly own the Binghamton-Johnson City Joint Sewage Treatment Plant (“the Facility”) located on Old Vestal Road in the Town of Vestal, Broome County, New York.

5. The Binghamton-Johnson City Joint Sewage Board (“Respondent Board”) is a joint agency of and for Respondent Binghamton and Respondent Johnson City and is the operator and manager of the Facility. The Department issued SPDES Permit Number NY0024414 to Respondent Board with respect to the Facility (the “SPDES permit.”). Respondent Binghamton and Respondent Johnson City were added as co-permittees to the SPDES permit on March 6, 2008.

6. Respondent Johnson City has been issued SPDES Permit Number NY0023981 governing combined sewer overflows in the Village’s sewer collection system. Respondent Binghamton has been issued SPDES Permit Number NY0024406 governing combined sewer overflows in the City’s sewer collection system. These two permits, in conjunction with the Binghamton-Johnson City SPDES permit, require that the Facility must be capable of receiving and treating a minimum of 60 million gallons per day (“MGD”) through the plant headworks and that Respondents’ collection systems must be capable of delivering a minimum of 60 MGD to the Facility.

7. On January 9, 2012, the Department and the Respondents entered into an administrative consent order under the authority of ECL Article 17, to provide for rebuilding the Facility after a portion of the Facility collapsed in May 2011 and the remainder of the Facility was flooded by the Susquehanna River in September 2011 (“2012 Consent Order”). The 2012 Consent Order was modified by letters of modification issued by the Department’s Region 7

Regional Director on May 13, 2013, and June 10, 2013, and by a Modification Consent Order executed on July 30, 2014 (“2014 Modification Order”). In addition, workplan approval letters clarifying and refining process due dates were issued on November 10, 2014, and March 10, 2015.

8. In accordance with the previous orders, Respondents have continued to work toward repairing the Facility and returning it to full operation. Since February 2013, the Facility has operated in Chemically Enhanced Primary Treatment (“CEPT”) mode, which is an interim treatment measure to improve the quality of effluent while long-term rehabilitation of the plant progresses.

9. During the process of modifying the facility design after the 2014 Modification Order, Respondents have determined that they cannot meet the required due dates and have requested extension of such dates.

10. Respondents have failed to meet four compliance due dates under the previous orders, to wit: to submit engineering design documents for the Biological Aerated Filters (BAFs) and associated processes by July 17, 2015; to bid construction contracts for such designs by August 12, 2015; to commence construction of such designs by October 7, 2015; and to submit a final report of the BioStyr Pilot Study by July 28, 2015.

11. The Department and the Respondents are entering into this Second Modification Consent Order to modify the terms of the previous Orders in this matter, so as to resolve the violations and to update the Schedule of Compliance and other terms of the previous Orders.

12. The extension of compliance due dates is not given without serious consideration. Interim operation of the Facility in its current condition is causing substantial impairment of

water quality in the Susquehanna River, a Class A surface water. Failure of the Facility to meet its final SPDES permit limits by 2017 may result in the State of New York's failure to comply with its Chesapeake Bay Watershed Implementation Plan and, thus, with federal Chesapeake Bay total maximum daily load ("TMDL") standards. For these reasons, Respondents were only permitted to modify the Facility's design in 2014 on the condition that such redesign would still bring the Facility into compliance with its final SPDES permit limits by the August 2017 due date imposed by the 2012 Consent Order.

13. On balance, the long-term benefits of the proposed redesign outweigh the continuing short-term impacts. To the extent possible, phasing of construction and maximization of interim operating practices will be required in an attempt to reduce the impacts to water quality, and payable stipulated penalties are incorporated herein to provide incentives to expedite Facility rehabilitation to the maximum extent possible. The Department has also reserved its right to address natural resource damages resulting from the Facility's discharge.

NOW, having considered this matter and being duly advised, IT IS ORDERED THAT:

I. Compliance. Respondents shall comply with the provisions, terms, and conditions set forth in this Second Modification Order. Respondents' failure to comply with any provision of this Order shall constitute a default and a violation of this Order and, upon such default and violation, the Department's right to pursue all claims and remedies administratively, at law, or in equity shall not be affected by anything contained in this Order.

II. Schedule for Compliance. Respondents shall fully comply with the Schedule for Compliance set forth as Appendix A to this Second Modification Order.

A. Within 7 days after each due date or milestone described in Appendix A, Respondents shall submit to the Department a written certification of compliance or non-compliance with respect to that requirement. Such certifications shall be in the general format provided at Appendix A-1 hereto.

B. Such certifications shall be jointly executed by either a principal or executive officer or ranking elected official of each of the Respondents, unless a duly authorized representative is appointed by all three Respondents to execute such certifications and written authorization of such appointment is submitted to Department staff.

III. Interim Effluent Limits. Appendix B to this Second Modification Order sets forth the interim effluent limitations and monitoring requirements for the Facility and supersedes Schedule B to the 2014 Modification Consent Order.

A. Schedule B-1. From the effective date of this Order through September 30, 2018, the interim effluent limitations and monitoring requirements set forth in Schedule B-1 to this Second Modification Order shall govern discharges from the Facility.

B. Schedule B-2. From October 1, 2018, through April 30, 2019, the interim effluent limitations and monitoring requirements set forth in Schedule B-2 to this Second Modification Order shall govern discharges from the Facility.

C. Schedules B-3. During that portion of construction beginning with Subparagraph 3.c and ending with Subparagraph 3.k of the Schedule for Compliance at Appendix A hereof, the Interim Conditions set forth in Schedule B-3 to this Second Modification

Order shall govern combined sewer overflows from the City of Binghamton's sewer collection system.

IV. Payable Stipulated Penalties. In addition to the penalties set forth in Paragraph IV of the 2012 Consent Order, beginning on January 1, 2018, Respondents shall be liable for a payable stipulated penalty of \$5,000 per month for each month that the Facility exceeds the monthly average mass loading effluent limit for carbonaceous biochemical oxygen demand ("cBOD₅") of 5,254 pounds per day or for total suspended solids ("TSS") of 5,838 pounds per day ("the SPDES permit effluent limits"), and the Department shall have judgment therefor.

A. Payment of such stipulated penalties shall be made to the Department at its Region 7 Headquarters, 615 Erie Boulevard West, Syracuse, New York 13204, to the attention of the Office of General Counsel, as follows:

1. On or before March 15, 2018, Respondents shall pay \$5,000 if the Facility exceeded either or both of the SPDES permit effluent limits for calendar month January 2018.

2. Similarly, for each subsequent calendar month for which the Facility exceeds either or both of the SPDES permit effluent limits, Respondents shall pay \$5,000.00 within 45 days after the end of that calendar month.

B. Such penalty payments shall be categorized as payments made for violations of ECL 11-0503.1, for the discharge of deleterious substances into the Susquehanna River in quantities injurious to fish life and injurious to the propagation of fish, and shall, therefore, be processed into the New York State Conservation Fund.

C. Default of Payment. The penalties assessed in this Order constitute a debt owed to the State of New York. Failure to pay the assessed penalty, or any part thereof, in accordance with the schedule contained in this Order may result in referral to the New York State Attorney General for collection of the entire amount owed (including the assessment of interest and a charge to cover the cost of collecting the debt) or referral to the New York State Department of Taxation and Finance, which may offset by the unpaid penalty amount any monies that may be owed to Respondents by the State of New York.

V. Previous Orders. All provisions, terms, and conditions of the 2012 Consent Order; the letters of modification dated May 13, 2013, and June 10, 2013; the 2014 Modification Order; and all Department approval letters previously issued shall remain in full force and effect except as expressly modified by this Second Modification Consent Order.

VI. Affected Resources. The Department's reservation of rights concerning natural resource damages contained at Paragraph XIV of the 2012 Consent Order is hereby renewed and is expressly understood to apply to impacts from the Facility's continuing inability to meet its SPDES permit limits, whether or not the Facility is in compliance with this Order and associated Interim Operating Limits.

VII. Effective Date. The effective date of this Order shall be the date it is signed by the Commissioner or the Commissioner's designee.

Dated: SYRACUSE, NEW YORK
_____, 2016

**NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**
Basil Seggos, Acting Commissioner

BY _____
JOSEPH SLUZAR
Acting Regional Director, Region 7

CONSENT BY RESPONDENT

Respondent **Binghamton-Johnson City Joint Sewage Board** hereby consents to the issuing and entering of this Order without further notice, waives the right to notice and hearing herein, and agrees to be bound by the provisions, terms, and conditions contained herein.

**BINGHAMTON-JOHNSON CITY
JOINT SEWAGE BOARD, by:**

Signature _____

Printed Name _____

Title _____

Date _____

STATE OF NEW YORK)
 : ss.:
COUNTY OF _____)

On the ____ day of _____ in the year 2016, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that (he)(she) executed the same in (her)(his) capacity as _____ of the **Binghamton-Johnson City Joint Sewage Board**, and that by (her)(his) signature on the instrument, the municipal board upon behalf of which the individual acted executed the instrument.

NOTARY PUBLIC

Appendix A
Schedule for Compliance

1. Coordination and Public Outreach:

- a. Within 30 days after the effective date of this Second Modification Order, Respondents shall implement a public outreach plan whereby Respondents shall keep the public informed about operations at the Facility and the status of the rehabilitation. At a minimum, such plan shall include a website which provides such information and updates in a timely manner and provides a mechanism for the public to make inquiries about the Facility. The plan shall provide for publicizing the availability of such information and for making the quarterly reports discussed in Subparagraph 1.c, below, available to the public in a timely manner. The public outreach plan shall be designed and implemented to the satisfaction of Department staff and shall be updated on a continuing and timely basis until the Facility's rehabilitation is complete.
- b. Commencing upon execution of this Second Modification Order, Respondents shall conduct quarterly meetings attended by representatives of each Respondent and by Department staff. Such quarterly meetings are necessary to keep each Respondent and Department staff apprised of the status of the Facility's rehabilitation, given the complex nature of the work and the difficulty of maintaining communication among involved parties.
- c. Respondents shall also submit quarterly reports summarizing Facility operations and the status of rehabilitation. Such reports shall be submitted for Department approval by the 15th day after the end of each preceding quarter, with the first such report to be submitted on January 15, 2016, for the fourth quarter of 2015. Upon Department acceptance of each quarterly report, Respondents shall provide the report to the public in accordance with Subparagraph 1.a, above.

2. Interim Emergency Operations Plan: Respondents developed and implemented an Interim Emergency Operations Plan in accordance with the 2014 Modification Order, to provide for operation of the Facility during emergency events such as the 2011 Flood of Record. By September 30, 2017, Respondents shall update the approved Interim Emergency Operations Plan by submitting the proposed modifications for Department review and approval and implementing such modifications as approved.

3. Repair of Facility:

- a. By January 8, 2016, Respondents shall submit to the Department, for review and approval, proposed engineering design documents for the BAFs, backwash tank, backwash treatment system, headworks modifications, permanent CEPT system, modifications to the primary clarifiers, ultraviolet disinfection system, and sludge thickeners.
- b. By January 8, 2016, Respondents shall bid the construction contracts for the BAFs, backwash tank, backwash treatment system, headworks modifications, permanent CEPT

system, modifications to the primary clarifiers, ultraviolet disinfection system, and sludge thickeners.

- c. By May 27, 2016, Respondents shall issue Notice(s) to Proceed to commence construction of the BAFs, backwash waste tank, backwash treatment system, headworks modifications, permanent CEPT system, modifications to the primary clarifiers, ultraviolet disinfection system, and sludge thickeners (“BAF Restoration, Contracts 5, 6, 7, and 8”), in accordance with the approved engineering design documents.
- d. By November 30, 2016, Respondents shall complete construction of the secant wall for the backwash waste tank, in accordance with the approved engineering design documents.
- e. By September 18, 2017, Respondents shall complete construction of the new backwash waste treatment system, in accordance with the approved engineering design documents.
- f. By November 1, 2017, Respondents shall complete construction and start-up of the Secondary Influent Pump Station, in accordance with the approved engineering design documents.
- g. By November 1, 2017, Respondents shall complete construction and start-up of the plant headworks, including the new bar screens and grit removal system, in accordance with the approved engineering design documents.
- h. By December 1, 2017, Respondents shall complete construction and hydraulic testing of the new backwash waste tank, in accordance with the approved engineering design documents.
- i. By December 31, 2017, Respondents shall complete construction and start-up for all construction work related to primary clarifiers 7 through 10, in accordance with the approved engineering design documents.
- j. By February 1, 2018, Respondents shall complete construction and retrofit work on all sludge thickeners, in accordance with the approved engineering design documents.
- k. By June 1, 2018, Respondents shall complete construction and start-up of carbon/nitrogen (“C/N”) BAFs 1 through 8 and of all de-nitrification (“DN”) BAFs, in accordance with the approved engineering design documents.
- l. By August 1, 2018, Respondents shall commence operation of BAF C/N cells 1 through 8, all four BAF DN cells, the backwash waste tank, backwash treatment system, headworks modifications, primary clarifier modifications, permanent CEPT system, ultraviolet disinfection system, sludge thickeners, and all related appurtenances in accordance with the approved engineering design documents.
- m. By March 1, 2019, Respondents shall substantially complete construction of BAF C/N cells 9 through 14 in accordance with the approved engineering design documents.
- n. By May 1, 2019, Respondents shall operate the Facility in compliance with its SPDES permit effluent limits.

4. Anaerobic Digesters:

- a. By April 29, 2016, Respondents shall submit for Department approval a Final Engineering Report on the repair and restoration of Anaerobic Digesters 1 through 3. Such Report shall include a proposed schedule of construction which provides for substantial completion by April 15, 2018.
- b. By February 10, 2017, Respondents shall submit for Department approval final engineering plans and specifications on the repair and restoration of Anaerobic Digesters 1 through 3, in accordance with the Final Engineer Report as approved.
- c. By May 1, 2017, Respondents shall issue a Notice to Proceed for the repair and restoration of Anaerobic Digesters 1 through 3.
- d. By April 15, 2018, Respondents shall achieve substantial completion of the repair and restoration of Anaerobic Digesters 1 through 3, in accordance with the approved Final Engineering Report and schedule and the final engineering plans and specifications.
- e. By June 1, 2018, Respondents shall commence operation of Anaerobic Digesters 1 through 3.

5. Interim Operating Strategy:

- a. Respondents developed and implemented their interim operating strategy for the Facility under the 2014 Modification Order, which strategy outlines how the existing plant will operate during both normal flow conditions and wet weather conditions until plant repairs are completed and how each of the Facility's component processes will be phased back into operation.
- b. By July 1, 2018, and by April 1, 2019, Respondents shall modify the approved strategy to provide for operation of the new processes coming online by August 1, 2018, and May 1, 2019, respectively, by submitting the proposed modification for Department review and approval and operating the Facility in accordance with each approved modification.
- c. Respondents shall continue operating the Facility in accordance with the approved Interim Operating Strategy currently in effect until a new strategy is approved under this paragraph.

6. Cost Analysis: By April 26, 2016, Respondents shall submit an addendum to the Plant Restoration and Rehabilitation Engineering Report dated December 2014 and revised March 13, 2015, as approved by letter dated March 26, 2015. Such addendum shall set forth the capital cost, annual costs (including debt, operation and maintenance), and anticipated annual sewer use fees associated with the project.

7. Flood Mitigation: By May 16, 2016, Respondents shall submit an updated Flood Protection Engineering Report which provides for completion of construction on Phase I, construction of the flood wall to elevation 845 from the east side of the Facility to the northeast corner of Chlorine Contact Tank 1, by July 10, 2017; and for completion of construction on Phase II, completion of

the flood wall and flood protection system to elevation 845 for the entire Facility, by December 31, 2017.

8. Toxicity Testing Requirement: The toxicity testing requirement scheduled to commence under the SPDES Permit in calendar year 2012 is suspended until the Facility returns to full operation and is able meet its permit limits.

Appendix A-1:
Certification of Compliance or Non-Compliance
Binghamton-Johnson City Joint Sewage Treatment Plant
DEC Case No. R7-20110628-59, Second Modification Consent Order

Description of compliance due date or milestone: _____

Relevant section of App. A, Schedule for Compliance: _____ Due Date for compliance: _____

1. Respondents have/have not [circle one] completed the specified compliance schedule activity by the relevant due date.
2. I am authorized as either a principal or executive officer or ranking elected official of one of the three Respondents to file this certification on behalf of the facility.
3. Submission of this certification does not limit enforcement or re-inspection by the Department.

Please check items attached as documentation of completion	Description of compliance actions (Attach extra sheets as necessary)	DEC Use Only: Received date
Photos <input type="checkbox"/>		
Engineer's Certification <input type="checkbox"/>		
Other <input type="checkbox"/>		

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

 Name of Representative, City of Binghamton [Print or Type]

 Title

 Signature

 Date Signed

 Name of Representative, Village of Johnson City [Print or Type]

 Title

 Signature

 Date Signed

 Name of Representative, Joint Sewage Board [Print or Type]

 Title

 Signature

 Date Signed

Appendix B: Interim Effluent Limits

Schedule B-1:

INTERIM PERMIT LIMITS, LEVELS AND MONITORING – SPDES No. NY 002-4414

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round	Susquehanna River	Effective date of modified order	September 30, 2018

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly average			Monitor	mgd	Continuous	Recorder	X		
cBOD ₅	Monthly average	Monitor	mg/l	21,600	lbs/d	Daily	24-hr comp	X	X	1
cBOD ₅	7-Day average	Monitor	mg/l	Monitor	lbs/d	Daily	24-hr comp	X	X	
Solids, Total Suspended	Monthly Average	Monitor	mg/l	11,100	lbs/d	Daily	24-hr comp	X	X	1
Solids, Total Suspended	7-Day average	Monitor	mg/l	Monitor	lbs/d	Daily	24-hr comp	X	X	
Settleable Solids	Daily Maximum	Monitor	ml/l			6/day	Grab	X	X	
Nitrogen, Ammonia (as N)	Monthly average	Monitor	mg/l	Monitor	lbs/d	Daily	24-hr comp	X	X	
Nitrogen, TKN	Monthly average	Monitor	mg/l	Monitor	lbs/d	1/week	24-hr comp	X	X	
Total Nitrogen (as N)	Monthly average	Monitor	mg/l	Monitor	lbs/d	Daily	24-hr comp	X	X	
Iron, Total Recoverable	Monthly Average	Monitor	mg/l	1,300	lbs/d	Monthly	24-hr comp		X	
Total Chlorine Residual	Daily Maximum	2.0	mg/l			6/day	Grab		X	

FOOTNOTES:

(1) Respondent shall report the percent removal of influent values for cBOD and TSS.

All other effluent limits, action levels, monitoring requirements and compliance schedule items in SPDES Permit No. NY 002 4414 shall apply.

TRAFFIC BOARD MEETING 1016
Minutes
Planning Conference Room, 4th Floor, City Hall
Thursday, April 14, 2016

Call to Order. Called to order at 9:00 a.m. by Jared Kraham, Executive Assistant to the Mayor

Traffic Board Members Present: Jared Kraham, Executive Assistant to the Mayor; William Yeager, Assistant Chief – BPD; Giovanni Scaringi, Councilman; Terry Kellogg, DPW Commissioner

Traffic Board Members Absent: Ray Standish, Engineering

Also Present: William Lescault, BPD Traffic; Dan Correll, Retired BPD; Katherine Davis, Principal Clerk; Tom Sullivan, BMTS; Tito Martinez, Planning, Councilman Joseph Mihalko

Approval of Minutes. Request to approve the minutes **Traffic Board Meeting 1015, held on Thursday, March 10, 2016.**

Moved by: T. Kellogg, G. Scaringi

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish

Items Considered

167 Conklin Avenue. The Human Society is no longer pursuing this request. **Item complete.**

Oak Street - Alternate Parking Exception. A resident submitted a request to Councilman Motsavage to have the section of Oak Street from Spring Forest to Cypress Street exempt from Alternate side of the street parking in winter months. The resident states it is difficult to get out in snow and ice when cars are parked on Oak Street are facing uphill. Traffic recommends that it does make sense but everyone agrees that the change shouldn't be made until this season of alternate side parking is finished so that residents who may have gotten tickets don't get upset and complain to the city. Councilman Scaringi will contact the resident and request a petition from other neighbors indicating that everyone would like this change, not just one person requesting it. Councilman Scaringi requested to hold this until May meeting. **Hold until next Traffic Board Meeting, Thursday, May 12, 2016.**

Jarvis Street-Alternate Street Parking. Clinton Street until Grace for parking for seniors. Mr. Scaringi reported that people from the Senior Center are looking for more parking because due to Garo's Garage using a lot of street parking, there are rarely vacant parking spaces on the street. Traffic will look into this further. Traffic reported that there is already a large parking lot available for the Senior Center. Councilman Scaringi reported that he spoke with several residents. They said that the parking lot fills up very quickly during lunch events and parking is scarce. Many seniors are having a hard time finding parking on the street and are having to park far away and then walk to the senior center. He is concerned that if this passes, it would then allow Garo and others to park there even more. He does believe that the net gain is better than the net loss. Traffic will find out how many parking spaces will be gained by passing this request and report back. **Hold until next Traffic Board Meeting, Thursday, May 12, 2016.**

Collier Street. The DA's office is requesting that parking spaces be added to Collier Street since the ramp has been closed. Traffic Board decided to leave as is until demolition of the garage begins. **Item complete.**

100 Eldredge Street. Curb cut. i3 Electronics moved into this location and they are proposing a parking lot plan which would require a new curb cut. Mr. Kraham has concerns about the design plan because the cars are facing the opposite direction of the flow of traffic. It also appears that the cars could overlap the sidewalk depending on the size of the vehicles. Mr. Kraham will email Planning with Traffic Boards concerns, which

include site distance, parking space placement, and the length of the curb cuts. Mr. Jim Simonis said that the company would like to install this parking lot so that its customers can utilize the space so they don't have to walk a long distance from the current parking spaces. Regarding the original request for parking on site, Mr. Kraham believes that Traffic Board should recommend against any additional curb cuts or off street because it is too dangerous. Traffic Board agreed. The Traffic Division recommended the following:

The Traffic Division received a verbal request from Jared Kraham, Executive Assistant to the Mayor, to look into the possibility of inserting on-street parking on the south side of Eldredge Street east of Chenango Street and its impact on the traffic pattern.

Eldredge Street is a two way city street serving both commercial and passenger vehicles. There are commercial properties with curb cuts which limits on street parking and requiring a turning radius for delivery vehicles and tractor-trailers accessing and egressing those business, to further limit parking. It also serves as a bus route for several bus lines traveling to and from a downtown bus terminal. If parking is allowed it would have to be inserted away from an intersection where a turning radius could be maintained to avoid conflicts with other traffic, away from driveways and curb cuts to prohibit access or obstruct truck traffic from entering or exiting those driveways, and prohibit allowing parking on two sides of the street opposite each other to narrow the street to avoid congestion.

The Traffic Division in reviewing this request finds that it is possible to maintain a free flowing traffic pattern and allowing on street parking in the suggested area by amending the Traffic Code as follows:

The Traffic Division therefore request that the Traffic Code be amended as follows:

DELETE:

Section 25.2 Fifteen Minute Parking Zone between 8:00 AM and 10:00 PM.

Eldredge Street - North Side – From 1000 feet west of Emma Street to 1050 feet.

Section 23 – No Parking Anytime Zone

Eldredge Street – North Side –From 268 feet west of Emmett Street to 1000 feet west.

*Eldredge Street – North Side – From 1050 feet west of Emmett Street to
Chenango Street*

*Eldredge Street –South Side – From Brandywine Avenue to 50 feet west of
Chenango Street.*

*Eldredge Street – South Side – From the north west extended curb line of
Emmett Street to 186 west.*

INSERT:

Section 23 – No Parking Anytime

Eldredge Street – North Side – From 268 feet west of Emmett Street to Chenango Street

Eldredge Street – South Side – From Chenango Street to 111 feet east.

*Eldredge Street - South Side – from 520 east of Chenango Street to the north west
extended curb line of Emmett Street*

Motion to makes changes per Traffic's Divisions recommendations.

Moved by: G. Scaringi, T. Kellogg

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish

Motion for Eldredge Street from Chenango Street to Emmett Street to be except from alternate side parking.

Moved by: T. Kellogg, G. Scaringi

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish

13 Grandview Avenue. Request for temporary handicapped parking space while owner's driveway is being repaved. Traffic investigated this but there was nobody home when they went to the property. They did not find that there was a lot of traffic and the need was unnecessary. Mr. Kraham indicated that the city does not install temporary handicapped parking regardless. **Item Complete.**

53 Emma Street. Mr. Scaringi reported that a resident is requesting a handicapped parking space. Mr. Scaringi reported that the resident actually lives on Downs and has recently had back surgery and has difficulty walking to car. She does not have off street parking and would like a new handicapped parking space. Traffic will look into this further and report back in May. **Hold until next Traffic Board Meeting, Thursday, May 12, 2016.**

158 Clinton Street. Mr. Martinez reported that the applicant would like to close two existing curb cuts on Clinton and open a new 24' curb cut on Clinton and widen the curb cut on St. Cyril Ave. He also indicated that it will be a mixed use building. The Traffic Division reported that while investigating they were unable to find the owner to discuss this with them.

Motion to make requested changes.

Moved by: G. Scaringi, T. Kellogg

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish

11-13 Henry Street. Request for the parking zone on Henry Street, west of Washington Street to be widened due to new restaurant "The Garage" opening in that area. The Traffic Division recommended the following:

The Traffic Division received the attached correspondence from Jared Kraham, Executive Assistant to the Mayor, requesting that the on street parking on the north side of Henry Street between Water Street and Washington Street be reviewed for expansion of the Two Hour Parking Meter Zone. The request was based on the establishment of a new business, a diner, at the site of the former Metro Garage, 11-13 Henry Street. The west most driveway cut to that property is no longer accessible to the property due to the construction of a raised patio for the diner. The Traffic Division responded to the area. With the insertion of the new patio, access through the west most entrance will no longer be needed and therefore additional on street parking can be inserted as follows:

DELETE – Two Hour Parking Meter Zone

Henry Street – north side – from 76 feet east of Water Street to 194 feet west of Washington Street.

INSERT – Two Hour Parking Meter Zone

Henry Street – north side – from 76 feet east of Water Street to 225 feet east of Water Street.

Henry Street – north side – from 225 feet east of Water Street to Washington Street.

Motion to make changes recommended by the Traffic Division.

Moved by: W. Yeager, T. Kellogg

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish

Chenango Street. Truesdell Street to Bevier Street, no parking either side. Traffic reported that they investigated this request. They stopped and spoke to a business owner who is concerned that the bike lane will take away parking from his business. Especially in the winter months when there are very few bicyclists anyway. **Hold until next Traffic Board Meeting, Thursday, May 12, 2016.**

Beethoven Street and Leroy Street. Councilman Joseph Mihalko would like this light removed and have a four-way stop put in. There have been several accidents over the past couple of years at this intersection. Mr. Kraham indicated that BMTS has done a previous study on several lights along Leroy Street. Mr. Kellogg proposed that before making the change, perhaps Traffic Board should post the potential change on the city's website for a certain amount of time to see what people's reactions and comments are. **Hold until the traffic light study is accepted by BMTS.**

Thomas Jefferson Elementary School and Minerva Avenue. Councilman Mihalko received several phone calls that when school is starting and ending there are some traffic issues on Minerva Avenue. Traffic gets backed up on this street. Hold until the Mayor's Office or the Traffic Division hears more from the local residents and/ or parents.

Stuart Street. *The Traffic Division recommends the following:*

The Traffic Division received a verbal request from Maine's Veterans Memorial Arena to post No Parking Anytime signs on the south side of Stuart Street in front of the Arena, excluding the indented designate 15 Minute Parking Zone from 80 feet west of State Street to 219 west. They advised this unit that motorist park in those areas when the fifteen minute zones are occupied by others purchasing or picking up orders at the ticket windows for an extended period of time or sitting in those zones waiting for others to return from purchasing tickets. This action causes a bottle neck for traffic on that street or prohibits access to the driveways for the off street parking zones on that property.

The Traffic Division, upon reviewing the Traffic Code. found no designation for prohibited parking on the south side of Stuart Street between Washington Street and State Street. Also, the Traffic Division found no signs for prohibited parking on the south side of that street in that area.

The Traffic Division therefore recommends that the Traffic Code be amended as follows:

Insert: No Parking Anytime Zones

Stuart Street – South Side – from State Street to 80 feet west.

Stuart Street – South Side – from 219 feet west of State Street to Washington Street.

Moved by: G. Scaringi, T. Kellogg

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish

Adjournment 9:35 a.m.

Moved by: G. Scaringi, T. Kellogg

Motion carried. (Vote 4-0-1)

Ayes: J. Kraham, G. Scaringi, T. Kellogg, W. Yeager

Nays: None

Absent: R. Standish