



# 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 Tuesday, July 5, 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	Finance	Mihalko	<b>RL16-137:</b> Ordinance to Amend the 2016 Parks Budget to cover overtime and supplies costs	1-5	Bill Barber
6:10pm	Finance	Mihalko	<b>RL16-140:</b> Supplemental No. 2 with NYSDOT on the Front St Gateway Project	6-11	Ray Standish
6:20pm	Finance	Mihalko	<b>RL16-139:</b> Create and fund new budget account for Front St Gateway  <b>RL16-136:</b> Modify the April 2014 Bond Ordinance for repairs at Cheri Lindsey Park  <b>*RL16-141:</b> Amend 2016 Finance Budget  <b>RL16-138:</b> Amend 2016 Assessment Budget	12-34	Chuck Shager
6:40pm	Finance	Mihalko	<b>*RL16-142:</b> Amend 2016 Budget to fund demolition	35-37	Jared Kraham
6:45pm	Planning	Scaringi	<b>RL16-143:</b> Accepting the easement at 71 Court Street	38-40	Leighton Rogers
6:50pm	-----	-----	<b>Discussion:</b> Pending Legislation	-----	Leighton Rogers

### COMMITTEE REPORTS

*\*Please Expedite for Next Business Meeting*



# Legislative Branch

RL Number:  
16-137  
Date Submitted:  
6/29/36

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: William Barber

Title/Department: Parks & Recreation

Contact Information: 772-7017

### RL Information

Proposed Title: An Ordinance to amend the 2016 Parks Budget to cover overtime and supplies costs.

Suggested Content: Transfer a total of \$29,233.17 from A7110.51000 Personal Serv. to various accounts as follows: \$19,500 to A7110.51900-Overtime, \$25,00 to A711.54102 - Gen. Oper. Sup., \$2,500 to A7110.54130-Const. Sup., \$2,244.17 to A7110.54160-Shrubs, flowers, trees, \$2,500 to A7110.54540-Park Improv. & Maint.

### 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"/>

<b>From Budget Line (No. and Title)</b>	<b>To Budget Line (No. and Title)</b>	<b>Total Transfer Amount</b>
A7110.51000 Pers. Serv.	A7110.54130 Const. Sup	\$2,500.00
A7110.51000 Pers. Serv.	A7110.54160 Shrubs, flowers trees	\$2,233.17
A7110.51000 Pers. Serv.	A7110.54640 Park Imprv./Maint.	\$2,500.00

Account	Amount	Reason
A7110.51000 Personal Services - Laborer	(8,637.56)	Hired at less than budgeted salary
A7110.51000 Personal Services - Laborer	(4,110.84)	Laborer vacant 5/21-7/1/2016
A7110.51000 Personal Services - Laborer	(5,595.48)	Tree Trimmer vacant 5/21-7/10/2016
A7110.51000 Personal Services - Sr Groundskeeper	(1,116.49)	Budgeted 100% salary, not increased until June 2016
A7110.51000 Personal Services - Arborist	(5,128.80)	Funded 4/19/16, not filled until 05/21/16
A7110.51000 Personal Services - Groundskeeper	(4,644.00)	Funded 4/19/16, not filled until 05/21/16
	(29,233.17)	



# 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: 6/24/16

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

To cover various overtime and supplies costs.

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A7110.51000 Pers. Serv.	A7110.51900 Overtime	\$19,500
A7110.51000 Pers. Serv.	A7110.54102 Gen. Oper. Sup.	\$2,500

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: *Jane Dunlivan*

Date: 6/29/16

#### OFFICE USE ONLY

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

Signature: *[Signature]*

Date: 6/29/16

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 6/29/16. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: *Leighton A. Noyes*

Date: 6/29/16

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Account	Amount	Reason
A7110.51000 Personal Services - Laborer	(8,637.56)	Hired at less than budgeted salary
A7110.51000 Personal Services - Laborer	(4,110.84)	Laborer vacant 5/21-7/1/2016
A7110.51000 Personal Services - Laborer	(5,595.48)	Tree Trimmer vacant 5/21-7/10/2016
A7110.51000 Personal Services - Sr Groundskeeper	(1,116.49)	Budgeted 100% salary, not increased until June 2016
A7110.51000 Personal Services - Arborist	(5,128.80)	Funded 4/19/16, not filled until 05/21/16
A7110.51000 Personal Services - Groundskeeper	(4,644.00)	Funded 4/19/16, not filled until 05/21/16
	(29,233.17)	



# Legislative Branch

RL Number:  
16-~~39~~140  
Date Submitted:  
6/29/16

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: Ray Standish

Title/Department: Engineering

Contact Information: rstandish@cityofbinghamton.com

### RL Information

Proposed Title: A resolution authorizing t Mayor to enter into supplemental No 2 with NYSDOT on the Front St. Gateway Project. PIN No. 9753.16

Suggested Content: Supplemental No.2 with NYSDOT adds additional funding for preliminary engineering/design and adding Marchiselli funding for the project. The increased amount is \$340,000. City will be reimbursed 95% (80% fed, 15% Marchiselli). Funding will be 50,000 from H5112.525016.5119 (Front St Gateway), H5112.525016 Front St Gateway for \$339,000

*And \$49,000 for ROW individuals*

### 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): r09-115

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"/>



**Department of  
Transportation**

**ANDREW M. CUOMO**  
Governor

**MATTHEW J. DRISCOLL**  
Commissioner

**JOHN R. WILLIAMS, P.E.**  
Regional Director

May 23, 2016

Mr. Ray Standish, P.E.  
City Engineer  
City of Binghamton  
38 Hawley Street  
Binghamton, NY 13901

Dear Mr. Standish:

**RE: PIN 9753.16, D032021  
Front Street Gateway Project  
City of Binghamton, Broome County**

Enclosed for processing are five copies of Supplemental Agreement # 2 to Federal-Aid/Marchiselli-Aid Project Agreement (D032021) to perform the Preliminary Engineering/Design and Right-of-Way Incidentals work. The work involves the reconstruction of Front Street, from Prospect Street, south 1.0 mile to Main Street, in the City of Binghamton, Broome County. This is a Locally Administered Project.

All five copies must have original signatures and all five copies must be notarized. In addition, five certified copies of the necessary City Resolution must accompany the Agreements (a sample resolution is included in this agreement). Please return all five copies to our Regional Office for further processing. A completed copy will be returned to you once the agreement has been fully executed.

The estimated cost for the Preliminary Engineering/Design work has increased from \$534,000 to \$874,000, an increase of \$340,000. The City will be reimbursed 80% of \$874,000, or \$699,200, with Federal funds. The City will also be reimbursed 15% of \$874,000, or \$131,100, with State Marchiselli funds.

The estimated cost for the Right-of-Way Incidentals work has increased from \$6,000 to \$55,000, an increase of \$49,000. The City will be reimbursed 80% of \$55,000, or \$44,000, with Federal funds. The City will also be reimbursed 15% of \$55,000, up to \$3,300, with State Marchiselli funds. Please refer to the footnote on page 3 of Schedule A regarding additional State Marchiselli reimbursement.

Therefore, the necessary City resolution must authorize an additional \$389,000 for these phases of the project.

Sponsor: City of Binghamton  
PIN: 9753.16 BIN: NA  
Comptroller's Contract No. D032021  
Supplemental Agreement No. 2  
Date Prepared: 05/20/2016 By: LEH

**SUPPLEMENTAL AGREEMENT No. 2 to D032021 (Comptroller's Contract No.)**

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

the City of Binghamton (the Sponsor)  
Acting by and through the Mayor, Richard C. David  
with its office at 38 Hawley Street, Binghamton, New York 13901.

This amends the existing Agreement between the parties in the following respects only (check applicable categories):

Amends a previously adopted Schedule A by (check as applicable):

- amending a project description
- amending the contract end date
- amending the scheduled funding by:
  - adding additional funding (check and enter the # phase(s) as applicable):
    - adding phase \_\_\_\_\_ which covers eligible costs incurred on/after   /  /
    - adding phase \_\_\_\_\_ which covers eligible costs incurred on/after   /  /
  - increasing funding for a project phase(s)
  - adding a pin extension
  - change from Non-Marchiselli to Marchiselli
  - deleting/reducing funding for a project phase(s)
  - other (\_\_\_\_\_)

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends a previously adopted Agreement by adding Appendix 2-S – Iran Divestment Act:

Amends the text of the Agreement as follows (insert text below):

**SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements  
 NYSDOT/ State-Local Agreement - Schedule A for PIN 9753.16**

<b>OSC Municipal Contract #:</b> D032021	<b>Contract Start Date:</b> 11/4/2008 (mm/dd/yyyy)	<b>Contract End Date:</b> 12/31/2019 (mm/dd/yyyy) <input checked="" type="checkbox"/> Check, if date changed from the last Schedule A
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**Purpose:**  Original Standard Agreement  Supplemental Schedule A No. 2

**Agreement Type:**  Locally Administered Municipality/Sponsor (Contract Payee): City of Binghamton  
 Other Municipality/Sponsor (if applicable): \_\_\_\_\_

State Administered *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*

<input type="checkbox"/> Municipality:	% of Cost share
<input type="checkbox"/> Municipality:	% of Cost share
<input type="checkbox"/> Municipality:	% of Cost share

**Authorized Project Phase(s) to which this Schedule applies:**  PE/Design  ROW Incidentals  
 ROW Acquisition  Construction/CI/CS

**Work Type:** HWY RECONST **County (If different from Municipality):** Broome

**Marchiselli Eligible**  Yes  No *(Check, if Project Description has changed from last Schedule A):*   
**Project Description:** Front Street, from Prospect Street, south 1.0 mile to Main Street; City of Binghamton; Broome County

**Marchiselli Allocations Approved FOR ALL PHASES** *To compute Total Costs in the last row and column, right click in each field and select "Update Field."*

<i>Check box to indicate change from last Schedule A</i>	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input checked="" type="checkbox"/>	Cumulative total for all prior SFYs	\$131,100.00	\$3,300.00	\$0.00	\$134,400.00
<input type="checkbox"/>	Current SFY	\$	\$	\$	\$ 0.00
<b>Authorized Allocations to Date</b>		\$131,100.00	\$3,300.00	\$ 0.00	\$134,400.00

**A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES** *For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
9753.16.121	Current	STP (80%)	\$534,000.00	\$427,200.00	\$80,100.00	\$26,700.00	\$0.00
	Old	STP (80%)	\$534,000.00	\$472,200.00	\$80,100.00	\$26,700.00	\$0.00
9753.16.122	Current	HPP (80%)	\$340,000.00	\$272,000.00	\$51,000.00	\$17,000.00	\$0.00
	Old		\$	\$	\$	\$	\$
9753.16.221	Current	STP (80%)	\$6,000.00	\$4,800.00	\$900.00	\$300.00	\$0.00
	Old	STP (80%)	\$6,000.00	\$4,800.00	\$900.00	\$300.00	\$0.00
9753.16.222	Current	HPP (80%)	\$49,000.00	\$39,200.00	\$2,400.00 *	\$7,400.00	\$0.00
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
<b>TOTAL CURRENT COSTS:</b>			\$929,000.00	\$743,200.00	\$134,400.00	\$51,400.00	\$ 0.00

NYS DOT/State-Local Agreement – Schedule A

**B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES** For each PIN Fiscal Share, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
<b>TOTAL CURRENT COSTS:</b>			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

<b>C. Total Local Deposit(s) Required for State Administered Projects:</b>	\$0.00
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**D. Total Project Costs** To compute Total Costs in the last column, right click in the field and select "Update Field."

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$743,200.00	\$134,400.00	\$0.00	\$51,400.00	\$929,000.00

**E. Point of Contact for Questions Regarding this Schedule A (Must be completed)**

Name: Linda Halaburka  
Phone No: 607-721-8274

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

**NYS DOT/State-Local Agreement – Schedule A**

**Footnotes:** (See LPB's website for link to sample footnotes)

- PIN 9753.16.222 - Marchiselli funding hereunder is limited by the amount authorized on the Comprehensive List. Additional Marchiselli funding is contingent on appropriate increase(s) to the Comprehensive List and the execution of a Supplemental Schedule A providing such additional funds.

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# Legislative Branch

RL Number: 110-14039  
 Date Submitted: 4/29/16

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Chuck Shager -Comptroller /

Title/Department: Comptroller

Contact Information: ceshager@cityofbinghamton.com

### RL Information

Proposed Title: Create and fund new budget account for Front St Gateway

Suggested Content: Create new account H5112.525016 (Front St. Gateway) for additional funding from federal and Marchiselli funds. Increase H5112.525016 (Front St Gateway) \$339,000, and increase revenue lines H44957 (Fed Aid-Transp Cap Project) \$271,200, and increase H43957 (State Aid-Trans Cap Projects) by \$57,800

### 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): R09-115 / R16-

<b>OFFICE USE ONLY</b>					
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"/>



# Legislative Branch

RL Number:  
16-136  
Date Submitted:  
6/28/16

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Chuck Shager -Comptroller /Bill Barber-Parks Director  
Title/Department: Comptroller  
Contact Information: 607-772-7011 -ceshager@cityofbinghamton.com

### RL Information

Proposed Title: Modify the April 2014 Bond Ordinance to add repairs to Cheri Lindsey Park Pool - Binghamton and Webster's Pool and Both have

Suggested Content: The April 2014 bond ordinance included design work to fix the pools at Webster and Cheri Lindsey park. The study revealed the cost was substantially higher than expected. Therefore we are requesting the unspent funds, 97,743.09 be allowed to be used on improvement to those facilities

### 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): 14-13

OFFICE USE ONLY	
Mayer:	<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 COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: April 9, 2014

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

ORDINANCE  
*entitled*

AN ORDINANCE AUTHORIZING THE  
ISSUANCE OF \$19,495,500 IN SERIAL BONDS  
TO FINANCE 2014 CAPITAL PROJECTS

WHEREAS, the City of Binghamton wishes to finance certain capital projects as set forth in the attached "Exhibit A"; and

WHEREAS, in order to finance these projects, it is necessary for the Council of the City of Binghamton to adopt a Bond Ordinance, the full text of which is attached hereto as "Schedule I".

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

Section 1. That this Bond Ordinance, authorizing the issuance of serial bonds in an amount not to exceed Nineteen Million, Four Hundred Ninety-Five Thousand, Five Hundred dollars (\$19,495,500) by the Council of the City of Binghamton, annexed hereto as "Schedule I," is hereby approved.

Section 2. That this Ordinance shall take effect immediately upon (1) adoption by the Council of the City of Binghamton and approved in writing by the Mayor of the City of Binghamton in the manner prescribed by law; (2) its approval in writing by the Board of Estimate and Apportionment of the City of Binghamton; and (3) proper publication.

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 4/13/14.

Introductory No. 014-14

Permanent No. 014-13

Sponsored by City Council Members:

Berg, Matzo, Molsavage, Webb, Rernia, Mifalko,  
Papastrot

AN ORDINANCE AUTHORIZING THE  
ISSUANCE OF \$19,495,500 IN SERIAL BONDS  
TO FINANCE 2014 CAPITAL PROJECTS

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

APRIL 9, 2014  
Date

Osma Abdelmalik  
City Clerk

APRIL 10, 2014  
Date Presented to Mayor

4/10/14  
Date Approved

Richard L. Ford  
Mayor

	Ayes	Nays	Abstain	Absent
Molsavage	✓			
Mifalko	✓			
Rernia	✓			✓
Papastrot	✓			
Matzo	✓			
Berg	✓			
Total	6	0	0	1

Code of the City of Birmingham

Adopted  Defeated

6 Ayes 0 Nays 0 Abstain 1 Absent

**State Environmental Quality Review  
Determination of Type II Action and  
Negative Declaration regarding First Ward Pool**

**Project Number:** None

**Date:** April 9, 2014

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton City Council has determined that the proposed action described below 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, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, (4) repaving of existing highways not involving the addition of new travel lanes, (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities, (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list and (15) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

Excepting therefrom the removal of the First Ward pool, which is considered a local landmark historic property, and therefore an Unlisted action. The First Ward pool is in such a state of disrepair that it cannot be remediated. Prior to any removal, the City will obtain all required approvals from New York State Agencies, including the New York State Historic Preservation Office ("SHPO").

The lead agency has determined that the action will not have a significant adverse impact on the environment for the following reasons:

The action will not produce a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The action will not involve the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant or the habitat of such a species; or other significant adverse impacts to natural resources.

The action will not cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14 (g).

The action will not create a material conflict with a community's current plans or goals as officially approved or adopted.

The action will not cause a major change in the use of either the quantity or type of energy.

The action will not create a hazard to human health.

The action will not cause a substantial change in the use or intensity of use of land including agriculture, open space or recreation resources, or in its capacity to support existing uses.

The action will not change two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together results in a substantial adverse impact on the environment.

Impacts from the action may combine with impacts of other, possible independent actions in the vicinity. The lead agency finds that when considered cumulatively such combination will not create a significant adverse impact on the environment.

In light of the condition of the pool and because any determination to be made by SHPO will mitigate any potential impacts, City Council determines that there will be no significant adverse environmental impact.

**Name of Action:** An ordinance authorizing issuance of \$19,495,500 serial bonds to finance 2014 capital projects. The projects are for replacement, rehabilitation or reconstruction of existing structures or facilities, repaving of existing highways not involving the addition of new travel lanes, and street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities, and various equipment needs.

**For Further Information**

**Contact Person:** Teri Renna, President  
City of Binghamton City Council

**Address:** City Hall  
38 Hawley Street  
Binghamton, NY 13901

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

*Hawkins*  
DELAFIELD & WOOD LLP

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

ONE CHASE MANHATTAN PLAZA  
NEW YORK, NY 10005  
WWW.HAWKINS.COM

NEW YORK  
WASHINGTON  
NEWARK  
HARTFORD  
LOS ANGELES  
SACRAMENTO  
SAN FRANCISCO  
PORTLAND

(212) 820-9620

April 8, 2014

City of Binghamton, New York  
\$19,495,500 Bonds for Various Purposes  
(Our File Designation: 5040/38436)

REVISED

Charles L. Pearsall  
Comptroller  
City of Binghamton  
City Hall  
38 Hawley Street  
Binghamton, New York 13901-3766

Dear Charlie:

Pursuant to your request, I have prepared the attached Extract of Minutes of a Council meeting to be held April 9, 2014 showing adoption of the above bond ordinance and providing for publication, *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 City Council.

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

1340945.1 038436 RSIND

EXTRACT OF MINUTES

Meeting of the Council of the City of Binghamton,  
in the County of Broome, New York

April 9, 2014

\* \* \*

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 April 9, 2014.

There were present: Lea Webb, Jerry Mottavage, Bill Berg, John Matzo, Joseph Mihalko, Chris Papastrat

Councilpersons: Lea Webb, Jerry Mottavage, Bill Berg, John Matzo, Joseph Mihalko, Chris Papastrat

There were absent: Teri Rennia

Also present:

Angela Holmes, City Clerk

\* \* \*

Councilman Bill Berg offered the following ordinance and moved its adoption:



EXHIBIT A

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED APRIL 9, 2014, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$19,495,500, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,495,500 TO FINANCE SAID APPROPRIATION

Recital

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for various capital improvements in and for the City, as more specifically described herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BINGHAMTON, NEW YORK, DULY CONVENED (by the favorable vote of not less than two-thirds of all the members of said Council) AS FOLLOWS:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct, acquire or undertake the various projects as described in Column A of said Schedule I, attached hereto and made a part hereof, at the estimated maximum costs indicated in Column B of said Schedule I. The estimated total cost of such projects, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,495,500 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. 14-13. The plan of financing includes the

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issuance of bonds of the City in the principal amount of not to exceed \$19,495,500 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.

Section 2. Serial bonds of the City in the aggregate principal amount of not to exceed \$19,495,500 are hereby authorized to be issued in the principal amounts indicated in Column C of said Schedule I for each of the respective objects or purposes indicated in Column A of said Schedule I, 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 respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes for which said serial bonds are authorized to be issued, within the limitations of §11.00 a. of the Law as referenced in Column E of said Schedule I, are set forth in Column D of said Schedule I.

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 of the publication of such ordinance, or a summary thereof, are not substantially complied with,

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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 "*Binghamton Press*," 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.

\* \* \*

The adoption of the foregoing ordinance was seconded by  
Councilman Motsavage and duly put to a vote on roll call, which resulted as follows:

AYES: Motsavage, Mihalko, Webb, Papastrat, Matzo, Berg

NOES: None

The ordinance was declared adopted.

Approved by the Mayor on April 14, 2014.

\*\*\*\*\*

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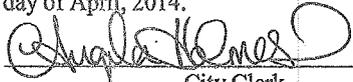
**Schedule I  
2014 Capital Improvement Plan**

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
<u>Project Description (object or purpose)</u>	<u>Estimated Maximum Cost</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Probable Usefulnes s</u>	<u>PPU Section 11.00 a. Reference</u>
<b><u>Police Department</u></b>				
Acquisition of Police Cars	\$ 60,000	\$ 60,000	3	77
FATS (Range Simulator)	55,000	55,000	5	35
<b><u>Fire Department</u></b>				
75' Straight Ladder Truck	499,000	499,000	27	20
<b><u>Department of Public Works</u></b>				
Chiller Replacement	200,000	200,000	10	13
Cooling Tower Replacement	125,000	125,000	10	13
Installation of Air Handler Units	100,000	100,000	10	13
Acquisition of Dump Truck	110,000	110,000	15	28
<b><u>Engineering</u></b>				
Street Reconstruction	1,693,500	1,693,500	15	20(c)
Water Line Improvements	1,000,000	1,000,000	40	1
Sewer Line Improvements	1,500,000	1,500,000	40	4
Chenango River Trail Connection Improvements	1,000,000	1,000,000	15	19(c)
Front Street Gateway Improvements	5,000,000	5,000,000	15	20(c)
E. Clinton Street Bridge Rehabilitation	1,000,000	1,000,000	20	10
S. Washington Street Bridge Rehabilitation	1,585,000	1,585,000	20	10
North Bank Susquehanna Trail Improvements	1,000,000	1,000,000	15	19(c)
Exchange Street Bridge Reconstruction	3,000,000	3,000,000	20	10
Reconstruction of Front Street Mill and Pave	250,000	250,000	15	20(c)
Installation of Signals at Riverside Drive and Beethoven	360,000	360,000	20	72(a)
<b><u>DPW</u></b>				
Acquisition of Small Roller and Truck	125,000	125,000	15	28
<b><u>Parks Department</u></b>				
Ross Park Carousel Relocation and Renovations	198,000	198,000	15	19(c)
Remove First Ward Pool	100,000	100,000	5	35
Heating/Cooling System Upgrades - 1 <sup>st</sup> Ward Senior Center	100,000	100,000	10	13
Design plans and specs. for improvements for Cheri Lindsey Bath House	75,000	75,000	5	62
Design plans and specs. for improvements for Southside Pool Bath House	50,000	50,000	5	62
Improvements to bathroom facilities	60,000	60,000	10	12(a)(3)
<b><u>Water Department</u></b>				
Design plans and specifications for Sludge Extraction System and Plant Modifications	250,000	250,000	5	62

CERTIFICATE

I, ANGELA HOLMES, City Clerk of the City of Binghamton, in the County of Broome, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Council of said City of Binghamton duly called and held on April 9, 2014, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Council and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Binghamton this 14 day of April, 2014.

  
\_\_\_\_\_  
City Clerk

(SEAL)

A	B	C	D	E
<u>Project Description (object of purpose)</u>	<u>Estimated Maximum Cost</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Probable Usefulness</u>	<u>PPU Section 11.00 a. Reference</u>
<b>Totals:</b>	<b>\$19,495,500</b>	<b>\$19,495,500</b>		

(NOTICE AND SUMMARY OF ORDINANCE FOR PUBLICATION)

LEGAL NOTICE

The ordinance, a summary of which is published herewith, has been adopted by the Council of the City of Binghamton on April 9, 2014. Such ordinance was approved in writing by the Mayor of the City on April 14, 2014 and by the Board of Estimate and Apportionment of the City on April 9, 2014.

The validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Binghamton, in the County of Broome, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

DATE: April 9, 2014

ANGELA HOLMES  
City Clerk  
City of Binghamton, New York

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK,  
ADOPTED APRIL 9, 2014, AUTHORIZING VARIOUS CAPITAL  
IMPROVEMENTS IN AND FOR THE CITY, STATING THE  
ESTIMATED MAXIMUM COST THEREOF IS \$19,495,500,  
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND  
AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,495,500 TO  
FINANCE SAID APPROPRIATION

The objects or purposes for which the bonds are authorized is to finance various capital improvements in and for the City of Binghamton, as further described in the City's 2014 Capital Improvement Plan, at the estimated total cost of \$19,495,500.

The total amount of obligations authorized to be issued is not to exceed \$19,495,500.

The periods of usefulness for the objects or purposes listed above are various periods ranging from 3 to 40 years.

A complete copy of the Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, City of Binghamton, City Hall, 38 Hawley Street, Binghamton, New York.

Dated: April 9, 2014  
Binghamton, New York

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E

RL Number:  
16-141  
Date Submitted:  
6/29/16

# Legislative Branch

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: Chuck Shager  
Title/Department: Comptroller  
Contact Information: \_\_\_\_\_

### RL Information

Proposed Title: Amend 2016 Finance Budget

Suggested Content: eliminate Data Entry Clerk position & Create Accounts Payable Clerk position  
an annual salary of \$33,653 effective 07/18/2016 Transfer \$12,762.96 from Data Entry Clerk position  
(salary for remainder of year) and \$2,769.24 from Finance Payroll Specialist position  
(position vacant thru 07/1/16) to Accounts Payable Clerk position.

### 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"/>



# 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: 06/29/2016

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

Transfer funds for salary

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
see attached	see attached	\$ 15,532.20

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: 6/29/16

### OFFICE USE ONLY

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

Signature: [Signature]

Date: 6/29/16

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: \_\_\_\_\_

From		Amount	To		Amount
A1310.51000	Personal Services - Data Entry Clerk	12,762.96	A1310.51000	Personal Services - Accts Payable Clerk	15,532.20
A1310.51000	Personal Services - Finance Payroll Specialist	2,769.24			
		<b>15,532.20</b>			<b>15,532.20</b>



# Legislative Branch

RL Number:  
16-138  
Date Submitted:  
6/29/16

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: Scott Snyder-Assessor / Chuck Shager  
Title/Department: Assessors  
Contact Information: \_\_\_\_\_

### RL Information

Proposed Title: Amend 2016 Budget  
Assessment

Suggested Content: Temp clerk position was established to be \$12 hour for 17.5 hours for 26 weeks total of \$5,460. Would like to change that to \$15 hour for 14 hours per week for 26 weeks total \$5,460.

~~Amend~~ Amend A1355, 5100 (Personal Services - Clerk part time)

### 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>Michael L. Davis</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"/>



(E)

RL Number:  
16-142  
Date Submitted:  
6/29/16

# Legislative Branch

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 Kraham  
Title/Department: Executive Assistant to the Mayor  
Contact Information: \_\_\_\_\_

### RL Information

Proposed Title: An ordinance to amend the 2016 Budget to fund demolitions  
\_\_\_\_\_  
\_\_\_\_\_

Suggested Content: See attached transfer request.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 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 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: 06/29/2016

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

Transfer funds to pay for demolitions

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
see attached	see attached	\$ 220,100.00

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: \_\_\_\_\_

### OFFICE USE ONLY

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

Signature: [Signature]

Date: 6/28/16

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: \_\_\_\_\_

Authorized by:	From		Amount	To		Amount
	A1210.51000	Personal Services - Youth Success Init Dir	9,300.00	A1364.54470	Demolition	220,100.00
	A1420.51000	Personal Services - Asst Attorney	5,800.00			
	A1440.51000	Personal Service - Sr Engineer	8,000.00			
	A1660.51000	Personal Services - Storeskeeper	5,000.00			
	A8664.51000	Personal Services - Code Inspector	2,250.00			
	A8664.51000	Personal Services - Code Inspector	2,250.00			
	A6889.51000	Personal Services - Ec Dev - Admin Asst	7,000.00			
	A8684.51000	Personal Services - Historic Pres Planner	3,000.00			
	A9060.58000	Health Insurance	100,000.00			
	A1640.54112	DPW - Fuel	52,500.00			
	A5110.54520	Equipment Lease / Rental	10,000.00			
	A5182.54444	Street Lighting Repairs	15,000.00			
			<b>220,100.00</b>			<b>220,100.00</b>



# Legislative Branch

RL Number:

16-143

Date Submitted:

12/30/16

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: Leighton Rogers

Title/Department: City Clerk

Contact Information: 772-7005

### RL Information

Proposed Title: Accepting the easement at 71 Court Street

Suggested Content: To be drafted by Corp. Council

### 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



OFFICE OF THE CITY CLERK ■ CITY OF BINGHAMTON

William Berg, City Council President
Jeremy Pelletier, City Clerk

OFFER TO PURCHASE

Please complete the below application, and submit this document to the City Clerk for consideration. Please note that if such sale is approved, the Applicant will be liable for all filing fees associated with the transfer of this property.

PROPERTY INFORMATION

Street Address of Property: 71 Court Street

Tax Parcel Identification Number: 160.41-1-22

Current Use of Property: [ ] Residential [ ] Commercial [X] Mixed Use [ ] Vacant Lot

Offered Purchase Price: Of easement- \$500.00

Please describe the intended use of the property. The inclusion of a map or illustration depicting the intended use of the property will expedite the review process.

See Attachment

APPLICANT INFORMATION

Applicant Name: PM Realty, LLC
Note: If the applicant is a company or corporation, please list all shareholders or members.

Mailing Address: P.O. Box 257

Telephone Number(s): Binghamton, NY NY

Email Address: apope@psplawfirm.com

Please list any other properties owned by the Applicant located within Broome County.

267 Main Street, Johnson City, NY

I hereby certify that the above information is a true account of my intended purchase and use of City-owned property. I understand that upon approval of any such sale, any deviance from the agreed-upon terms and conditions may result in the termination of such agreement through legal proceedings.

Signature

Date 6/10/2015

## ATTACHEMENT TO OFFER TO PURCHASE FORM

PM Realty, LLC wishes to obtain a very limited easement in the ally on the left side of their building at 71 Court Street in Binghamton. The restaurant, Sake Tumi, is located in the first floor of that building. The restaurant has two long time existing exhaust fans that are sitting on the ground in the alleyway owned by the City of Binghamton. See attached photographs. The City of Binghamton Code Office would like the fans removed from the ground level and raised to at least a ten foot clearance. PM Realty, LLC originally agreed to look into moving the fans to satisfy the City of Binghamton, but upon PM Realty's research it was discovered that it is cost prohibitive to relocate those fans because the fire escape is in the way, and therefore, the only other location is at the roof level of the building. It is important to note that these fans were installed over 17 years ago when the original restaurant was started, and well before PM Realty, LLC became the owner of the building. These fans have been in the same location for years and there were no issues or concerns raised by the City of Binghamton. PM Realty believes it is fair and equitable for PM Realty to be granted a very limited easement from the City of Binghamton for a fee of \$500.00 in order to allow the fans to remain where they are currently located. There has never been any accidents or claims of any kind about the location or operation of these fans. PM Realty's legal counsel has worked with the City of Binghamton Corporation Counsel to initiate the process of obtaining this very limited easement. PM Realty, including Sake Tumi restaurant, is a cornerstone of the redevelopment of downtown Binghamton. A limited easement to allow these two fans to remain where they have been for 17 years without issue is the most fair and equitable solution.