



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Chris Papastrat, City Council President
Leighton Rogers, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON

Business Meeting Agenda

City Council Chambers, 38 Hawley Street, Binghamton, NY 13901

Wednesday October 5,
2016

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ACKNOWLEDGEMENTS AND RECOGNITIONS

V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes

Approve Minutes from September 21, 2016 Business Meeting

Approve Minutes from September 28, 2016 Special Business Meeting

City Council Finance Committee: Mihalko (Chair), Scaringi, MacGregor

No items to report.

City Council Planning and Community Development Committee: Scaringi (Chair), Matzo, Cronce

No items to report.

City Council Municipal and Public Affairs Committee: Matzo (Chair), Scaringi, Cronce

No Items to report.

City Council Public Works/Parks and Recreation Committee: Mihalko (Chair), Matzo, Cronce

No items to report.

City Council Employees Committee: Matzo (Chair), Mihalko, Taylor

No items to report.

City Council Rules and Procedures/Special Studies Committee: Scaringi (Chair), Mihalko, MacGregor

No items to report.

VI. APPROVAL OF APPOINTMENTS

VII. PUBLIC HEARING

VIII. SET PUBLIC HEARINGS

IX. PUBLIC COMMENT/COMMUNICATION

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Chris Papastrat, City Council President

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XII. FIRST READING LEGISLATION

Introductory Ordinance 16-77. Considered in Finance, Chair: Mihalko

Amending the 2016 Sewer Fund Budget to Modify Principal and Interest Payments

Introductory Ordinance 16-78. Considered in Finance, Chair: Mihalko

Amending the 2016 Police Bureau Budget to fund the review, reconfiguration, and training of staff in creating and updating the Police Manual

Introductory Ordinance 16-79. Considered in Finance, Chair: Mihalko

Proportionally Transfer Capital and Flood Capital Funds from the BJCJSTF To The Municipal Users based on the 2015 Ratified Flows

Introductory Ordinance 16-80. Considered in Finance, Chair: Mihalko

Amending the 2016 BJCJSTF Budget to increase appropriations for FEMA settlement relating to PW 2554 to allow payment to the Owners

Introductory Resolution 16-101. Considered in Finance, Chair: Mihalko

Supplemental agreement No. 1 with Ram-Tech Engineers for additional construction management services for the Terminal Pumping Station at the BJCJSTF

Introductory Resolution 16-102. Considered in MPA, Chair: Matzo

MOU with Broome County for information sharing related to the Broome County Health Department's Lead Poisoning Prevention Program

Introductory Resolution 16-103. Considered in Finance, Chair: Mihalko

Acceptance of a \$50,000 Grant from the Department of State Local Water Revitalization Plan Update

Introductory Resolution 16-104. Considered in Finance, Chair: Mihalko

Acceptance of the Broome County Health Department's Creating Healthy Schools and Communities Grant for Complete Streets related activities

Introductory Resolution 16-105. Considered in Finance, Chair: Mihalko

Acceptance of the Edward Byrne Legislative Grant

Introductory Resolution 16-106. Considered in Finance, Chair: Mihalko

Supplemental Agreement No. 3 with TimHaahs and Associates, Inc for additional engineering services for the Water Street and State Street Elevator Upgrades to the Parking Ramps

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

XIV. ADJOURNMENT



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

Date: October 5, 2016

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

Introduced by Committee: Finance

ORDINANCE

entitled
AN ORDINANCE AMENDING THE 2016
SEWER FUND BUDGET TO MODIFY
PRINCIPAL AND INTEREST PAYMENTS

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2016 Sewer Fund budget to modify principal and interest payments; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on September 21, 2016.

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

Section 1. That the Comptroller and Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2016 Sewer Fund budget to modify principal and interest payments as follows:

| | |
|--------------------------------------|---------------------------------------|
| <u>Transfer From:</u> | <u>Transfer To:</u> |
| \$90,490 G9730.57000 (Ban-Interest) | \$116,500 G9730.56000 (Ban-Principal) |
| 17,400 G9710.56000 (Bond-Principal) | 1,000 G8100.54447 (Admin Fees) |
| 9,610 G8430.54000 (Sewage Treatment) | |
| <hr/> | <hr/> |
| \$117,500 | \$117,500 |

Section 2. That this Ordinance shall take effect immediately.

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

Chuck Shager, Comptroller



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

Date: October 5, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, Cronicc, MacGregor, Taylor

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AMENDING THE 2016
POLICE BUREAU BUDGET TO FUND THE
REVIEW, RECONFIGURATION, AND
TRAINING OF STAFF IN CREATING AND
UPDATING THE POLICE MANUAL**

WHEREAS, the Police Chief and Comptroller of the City of Binghamton find it proper and necessary to amend the 2016 Police Bureau budget to fund the review, reconfiguration, and training of staff in creating and updating the Police Manual; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on September 21, 2016.

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

Section 1. That the Comptroller and Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2016 Police Bureau budget to fund the review, reconfiguration, and training of staff in creating and updating the Police Manual and transfer funds as follows:

| <u>Transfer From</u> | <u>Transfer To</u> |
|--|---|
| \$ 8,000 A3120.51000 (Pers Serv-Police Matron) | \$32,000 A3120.54420 (Technical Services) |
| 5,000 A3120.51678 (Field Training Officer Pay) | |
| 10,000 A3120.5411 (Gasoline/Diesel Fuel) | |
| 5,000 A3120.54114 (Lubricants) | |
| 4,000 A3120.54190 (Uniforms) | |
| <hr/> | <hr/> |
| \$32,000 | \$32,000 |

Section 2. That this Ordinance shall take effect immediately.

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

Chuck Shager, Comptroller



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

Date: October 5, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, Cronicc, MacGregor, Taylor

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2016
BJCJSTF BUDGET TO INCREASE
APPROPRIATIONS FOR FEMA SETTLEMENT
RELATING TO PW 2554 TO ALLOW PAYMENT
OF \$254,101.62 TO THE OWNERS OF THE
BJCJSTF

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

WHEREAS, the Council of the City and the Board of Trustees of the Village jointly approve the annual budget of the Binghamton-Johnson City Joint Sewage Board ("JSB"); and

WHEREAS, Inter-Municipal Agreement No. X sets forth the procedure for the JSB to request approval of budget transfers and modifications during the year or within 30 days thereafter so long as any transfers do not increase the JSB's budgeted expenses for the year; and

WHEREAS, the JSB has received \$254,101.62 from the Federal Emergency Management Agency ("FEMA") for Project Worksheet (PW) 2554 and said funds must be received by the JSB and then allocated to the owners.

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

Section 1. That the Joint Sewage Board Fiscal Officer is directed and authorized to amend the 2016 BJCJSTF budget to receive funds from FEMA as follows:

| | |
|--|-------------------------------------|
| <u>Appropriations:</u> | <u>Expenses:</u> |
| \$ 63,525.40 J.43960 (State Aid-Emergency) | \$254,101.62 J8130.54899 (Reimburse |
| <u>190,576.22 J.44960 (Federal Aid- Emergency)</u> | _____ Owners for Recoveries) |
| \$254,101.62 | \$254,101.62 |

Section 2. That the Joint Sewage Board Fiscal Officer is directed and authorized to pay via claim to the City \$139,247.69 (54.8%) and to the Village \$114,853.94 (45.2%) of the funds to Reimburse Owners for Recoveries in Section 1 above.



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

Date: October 5, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, MacGregor

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO SUPPLEMENTAL
AGREEMENT NO. 1 WITH RAM-TECH
ENGINEERS FOR ADDITIONAL
CONSTRUCTION MANAGEMENT SERVICES
FOR THE TERMINAL PUMPING STATION AT
THE BJCJSTF**

WHEREAS, pursuant to Permanent Resolution 15-22, dated March 4, 2015, the City of Binghamton entered into an Agreement with Ram-Tech Engineers to provide Engineering Services for the Terminal Pumping Station at the Binghamton-Johnson City Joint Sewage Treatment Facility (BJCJSTF); and

WHEREAS, the Project Manager has recommended Supplemental Agreement No. 1 with Ram-Tech Engineers for additional construction management services due to unexpected delays to remove the existing equipment and start-up of new equipment at a cost not to exceed \$27,500; and

WHEREAS, funding for these services is available from budget line HX8150.500100.J11FF (Professional Services-Flood).

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

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into Supplemental Agreement No. 1, approved as to form and content by the Office of Corporation Counsel, with Ram-Tech Engineers for additional construction management services for the Terminal Pumping Station at the BJCJSTF and that funding shall be deducted from budget line HX8150.500100.J11FF (Professional Services-Flood).

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

Chuck Shager, Comptroller



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

Date: October 5, 2016

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

Introduced by Committee: Municipal Public Affairs

RESOLUTION

entitled

A RESOLUTION AUTHORIZING A
MEMORANDUM OF UNDERSTANDING WITH
BROOME COUNTY FOR INFORMATION
SHARING RELATED TO THE BROOME
COUNTY HEALTH DEPARTMENT'S LEAD
POISONING PREVENTION PROGRAM

WHEREAS, the City of Binghamton, through its Code Enforcement Department, wishes to enter into a Memorandum of Agreement with Broome County for the Broome County Health Department's Lead Poisoning Prevention Program to share information regarding vacant properties in the City that have been positively identified with lead paint hazards.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into a Memorandum of Agreement, approved as to form and content by the Office of Corporation Counsel, with Broome County to participate in the Broome County Health Department's Lead Poisoning Prevention Program as attached hereto.



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

Date: October 5, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, Cronicc, MacGregor, Taylor

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION TO ACCEPT A \$50,000 GRANT
FROM THE DEPARTMENT OF STATE LOCAL
WATER REVITALIZATION PLAN UPDATE**

WHEREAS, the City of Binghamton is eligible to receive a New York State Department of State Local Water Revitalization Plan Update Grant in the amount of \$50,000 to update the City's water revitalization plan; and

WHEREAS, the Grant requires a local match of 50%, to be provided by in kind services; the grant will be administered by Director, or her designee, of Planning, Housing, and Community Development; and the estimated date of completion is September 30, 2019.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office Corporation Counsel, as may be necessary to accept the Department of State Local Water Revitalization Plan Update Grant in the amount of \$50,000; and be it further

RESOLVED that there is a 50% local match to be provided by in kind services; the Director, or her designee, of Planning, Housing, and Community Development will be the grant project administrator; and the estimated date of completion is September 30, 2019.



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

Date: October 5, 2016

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION TO ACCEPT THE BROOME
COUNTY HEALTH DEPARTMENT'S
CREATING HEALTHY SCHOOLS AND
COMMUNITIES GRANT IN THE AMOUNT OF
\$2,638 FOR COMPLETE STREETS RELATED
ACTIVITIES

WHEREAS, the City of Binghamton is eligible to receive the Broome County Health Department's Creating Healthy Schools and Communities Grant in the amount of \$2,638 for reimbursement of Complete Streets related activities; and

WHEREAS, the Grant does not require a local match; the grant funds will be administered by the Commissioner of the Department of Public Works, or his designee; and the project was completed prior to September 30, 2016.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office Corporation Counsel, as may be necessary to accept the Broome County Health Department's Creating Healthy Schools and Communities Grant in the amount of \$2,638; and be it further

RESOLVED that there is no City match for the acceptance of such funds; the Commissioner of the Department of Public Works, or his designee, shall be the grant project administrator; and the project was completed prior to September 30, 2016.



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

Date: October 5, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, Crounce, MacGregor, Taylor

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE CITY TO
ACCEPT THE EDWARD BYRNE LEGISLATIVE
GRANT FOR \$25,000**

WHEREAS, the City of Binghamton is eligible to receive the Edward Byrne Legislative Grant in the amount of \$25,000; and

WHEREAS, \$23,460 will be used for the purchase of a hand held 3D scanner and accessories for assistance at police crime scenes and \$1,540 will be used to fund police overtime for a community outreach program at the Boys and Girls Club of Binghamton; and

WHEREAS, the Legislative Grant does not require a local match; the grant funds will be administered by the Chief of Police, or his designee; and the estimated date of completion is December 31, 2017.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office Corporation Counsel, as may be necessary to accept the Edward Byrne Legislative Grant in the amount of \$25,000; and be it further

RESOLVED that there is no City match for the acceptance of such funds; the Chief of Police, or his designee, shall be the grant project administrator, and that the estimated date of completion is December 31, 2017.



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

Date: October 5, 2016

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

Introduced by Committee: Finance

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO A SUPPLEMENTAL
AGREEMENT NO. 3 WITH TIMHAAHS AND
ASSOCIATES, INC FOR ADDITIONAL
ENGINEERING SERVICES FOR THE WATER
STREET AND STATE STREET ELEVATOR
UPGRADES TO THE PARKING RAMPS**

WHEREAS, pursuant to Permanent Resolution R14-022, dated April 9, 2014, the City entered into an agreement with TimHaahs and Associates, Inc., to provide restoration design services for City owned parking ramps; and

WHEREAS, the City approved Supplemental Agreement No. 1, Permanent Resolution R16-26, dated February 3, 2016, for additional inspection services and Supplemental Agreement No. 2, Permanent Resolution 16-34, dated February 3, 2016, to provide additional restoration design services; and

WHEREAS, the City Engineer is recommending Supplemental Agreement No. 3 for additional engineering services for the Water Street and State Street elevator upgrades to the Parking Ramps at a cost not to exceed \$93,000.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into Supplemental Agreement No. 3, approved as to form and content by the Office of Corporation Counsel, with TimHaahs Associates to provide additional engineering services for the Water Street and State Street elevator upgrades to the Parking Ramps at a cost not to exceed \$93,000 and that funding for such services shall be deducted from budget line H5650.525080.21815 (Parking Ramps).

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

Chuck Shager, Comptroller