



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

MINUTES
City Council Business Meeting
Council Chambers, 38 Hawley Street, Binghamton, N.Y.
Wednesday November 6, 2013

CALL TO ORDER

Called to order by Council President Rennia at 6:33pm.

PLEDGE OF ALLEGIANCE

Council President Rennia led the Pledge of Allegiance.

ROLL CALL

Present: Jerry Motsavage, Joseph Mihalko, Teri Rennia, Chris Papastrat, John Matzo, Bill Berg

Absent: Lea Webb

Also in attendance: Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk; Allison Sosa, 2nd Assistant Corporation Counsel

REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Motion to approve the minutes from the Business Meeting held on October 23, 2013, and from the Special Business Meetings held on October 25, 2013. Moved by Motsavage, seconded by Berg.

Voice vote, none opposed.

Motion to declare City Council as Lead Agency, regarding the referral of proposed amendments to Chapter 410 of the Code of the City of Binghamton to the Planning Commission.

Moved by Motsavage, seconded by Berg.

Voice vote, none opposed.

Motion to refer to the Planning Commission proposed amendments to the Code of the City of Binghamton regarding high impact retail sales, similar to those amendments adopted by the City of Rochester, and to request the Planning Commission to report on the proposed amendments to Chapter 410, *Zoning*, primarily definitions, allowed uses, and the site plan review process.

Moved by Motsavage, seconded by Matzo.

Voice vote, none opposed.

Motion to approve the minutes from the Employees Committee meeting held on October 23, 2013.

Moved by Berg, seconded by Motsavage.

Voice vote, none opposed.

SET PUBLIC HEARING

The City of Binghamton will hold a public hearing regarding "A Local Law amending Section 400-38 of the Code of the City of Binghamton regarding City Council review of Traffic Board decision" at the regularly scheduled City Council Business Meeting held on Wednesday November 20, 2013 at 6:30pm. Notice of this public hearing will be published in the Press & Sun Bulletin on Friday November 15, 2013.



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

PUBLIC COMMENT/COMMUNICATIONS

Jack Sheehan

RECONSIDERED LEGISLATION

Permanent Ordinance 13-77. Considered in Planning & Community Development, Chair: Webb

An Ordinance adding Clinic, Medical, Diagnostic or Treatment Center as a use permitted with a Special Use Permit/Series A Site Plan in the I-1 Urban Business Park District

Note: Notice of public hearing published in the Press & Sun Bulletin on Friday October 4, 2013. Public hearing held on October 9, 2013. City Council adopted legislation on October 23, 2013.

1. Motion to recall Permanent Ordinance 13-77.
Moved by Berg, seconded by Motsavage.
Motion carried. (Vote 6-0-1)
Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb
2. Motion to declare City Council as Lead Agency.
Moved by Berg, seconded by Motsavage.
Motion carried. (Vote 6-0-1)
Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb
3. Motion to declare a Negative Declaration and Type 1 action.
Moved by Berg, seconded by Matzo.
Motion carried. (Vote 6-0-1)
Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb
4. Motion to reapprove Permanent Ordinance 13-77.
Moved by Berg, seconded by Motsavage.
Motion carried. (Vote 6-0-1)
Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

SECOND READING LEGISLATION

Introductory Ordinance 13-79. Considered in Planning & Community Development, Chair: Webb

An Ordinance authorizing the sale of 42 Robinson Street to Americo DiCamillo, Jr. and Mary A. DiCamillo for \$650, pursuant to the April 13, 2013 Broome County Auction

Note: First reading legislation occurred at the Business Meeting held on October 23, 2013.

Motion to approve legislation. Moved by Mihalko, seconded by Motsavage.

Motion failed. Legislation defeated. (Vote 3-3-1)



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

Ayes: Motsavage, Mihalko, Rennia
Nays: Papastrat, Matzo, Berg
Absent: Webb

FIRST READING LEGISLATION

Introductory Ordinance 13-85. Considered in Finance, Chair: Webb

An Ordinance authorizing various transfers within the Department of Parks and Recreation 2013 budget
Motion to approve legislation. Moved by Motsavage, seconded by Matzo.

Motion carried. Legislation adopted as Permanent Ordinance 13-78. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

Introductory Ordinance 13-86. Considered in Finance, Chair: Webb

An Ordinance amending the transfer to capital fund 2013 budget to establish and fund a capital line for the purchase of a 75' Fire Engine/Ladder Truck

Motion to approve legislation. Moved by Motsavage, seconded by Matzo.

Motion carried. Legislation adopted as Permanent Ordinance 13-79. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

Introductory Ordinance 13-87. Considered in Planning & Community Development, Chair: Webb

An Ordinance authorizing the sale of 9 Way Street to Sarah Edwards for \$100

Motion to approve legislation. Moved by Berg, seconded by Mihalko.

Motion carried. Legislation adopted as Permanent Ordinance 13-80. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

Introductory Ordinance 13-88. Considered in Employees, Chair: Berg

An Ordinance amending Section 124-44.A of the Code of the City of Binghamton, regarding health insurance and disability benefits for officers and employees not covered by collective bargaining agreements

Motion to approve legislation. Moved by Berg, seconded by Matzo.

Motion carried. Legislation adopted as Permanent Ordinance 13-81. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

Introductory Resolution 13-85. Considered in Finance, Chair: Webb

A Resolution approving a loan from the Binghamton Local Development Corporation (BLDC) in the amount of \$200,000 to Mountain Fresh Dairy, LLC

1. Council President Rennia requested permission to abstain from voting upon Introductory Resolution 13-85, as her business has an association with the Binghamton Local Development Corporation (BLDC).



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

Motion to allow Council President Rennia to abstain from voting upon Introductory Resolution 13-85.
Moved by Matzo, seconded by Motsavage.

Voice vote, none opposed.

2. Motion to approve legislation.

Moved by Motsavage, seconded by Matzo.

Motion carried. Legislation adopted as Permanent Resolution 13-85. (Vote 5-0-1-1)

Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg

Nays: None

Absent: Webb

Abstain: Rennia

Introductory Resolution 13-86. Considered in Planning and Community Development, Chair: Webb

A Resolution declaring the Council of the City of Binghamton as lead agency under SEQRA for the update study to the City's 2003 Comprehensive Plan and authorizing preparation of a draft GEIS

Motion to approve legislation. Moved by Berg, seconded by Motsavage.

Motion carried. Legislation adopted as Permanent Resolution 13-86. (Vote 4-2-1)

Ayes: Motsavage, Rennia, Matzo, Berg

Nays: Mihalko, Papastrat

Absent: Webb

Introductory Resolution 13-87. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution authorizing free parking on November 23, 2013 for "Binghamton is Not Boring"

Motion to approve legislation. Moved by Motsavage, seconded by Berg.

Motion carried. Legislation adopted as Permanent Resolution 13-87. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg

Nays: None

Absent: Webb

Introductory Resolution 13-88. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution authorizing the Binghamton Mets to conduct fireworks displays during the 2014 season

Motion to approve legislation. Moved by Motsavage, seconded by Mihalko.

Motion carried. Legislation adopted as Permanent Resolution 13-88. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg

Nays: None

Absent: Webb

COMMUNICATIONS FROM COUNCIL MEMBERS

Papastrat, Matzo, Berg, Motsavage, Mihalko, Rennia

ADJOURNMENT

Motion to adjourn at 7:14pm.

Moved by Matzo, seconded by Papastrat.

Voice vote, none opposed.