



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 December 18, 2013

CALL TO ORDER

Called to order by Council President Rennia at 6:31pm.

PLEDGE OF ALLEGIANCE

Council President Rennia led the Pledge of Allegiance.

ROLL CALL

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

Absent: None

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 City Council Business Meeting held on December 4, 2014.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

Motion to appoint Mary Lou Regulski to the Community Development Advisory Committee (CDAC) as City Council's At-Large Representative, for a term effective January 1, 2014 to December 31, 2014.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

PUBLIC HEARING

Introductory Local Law 13-4. Considered in Municipal and Public Affairs, Chair: Motsavage

A Local Law establishing a Public Arts Commission

Note: Notice of this public hearing was published in the Press & Sun Bulletin on Friday December 13, 2013.

In Favor: Tara Betts¹

Opposed: None

¹*Note: Tara Betts submitted the following email to the City Clerk's Office on December 9, 2013. The original letter is attached to these minutes.*

To Whom It May Concern:

I am writing this letter in support of the current proposal before Council to create a Public Art Commission. The impact of the arts on community cannot be overstated. The idea that Public Art can combat blight, promote civic engagement, and encourage economic development is well documented.



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The ability to celebrate local history, promote ethnic diversity and encourage cultural tourism are all embedded in Public Art. The improvements to the public realm through the incorporation of Public Art restores pride of place in its citizens. Public Art created opportunities to promote collaborations with both Binghamton University, Binghamton High School and community residents. Also the creation of a Public Art Commission ensures the promotion and implementation of Public Art within the City. By removing this responsibility from the Commission on Architecture and Urban Design (CAUD) the City can better focus on art as a tool for continued community development.

In conclusion I strongly urge City Council to support the changes to Article VI regarding the current role of CAUD, and support the transfer of responsibility for Public Art to a newly created Commission of Public Art. Thank you in advance for your consideration of this matter.

PUBLIC COMMENT/COMMUNICATIONS

Sharon Nieminski, Jack Sheehan, Debra Kerins¹, Debra Hogan, Edward Crumb, James Brosius, Cory Ray², Petition³

¹Motion to suspend the rules to allow Debra Kerins, a resident of the Town of Windsor, to speak during public comment. Moved by Webb, seconded by Papastrat.

Voice vote, none opposed.

²Note: Cory Ray submitted the following email to the City Clerk's Office on December 18, 2013. The original letter is attached to these minutes.

Honorable City Council,

My name is Cory Ray, I live on 291 Clinton Street in Binghamton, in Mr. Motsavage's District. I write to you today because I am ill and do not feel well enough to visit you in person, although I am with you and our fellow citizens in spirit.

I write to you today in support of a public art commission, led and constructed by artists, tempered by local flavors and input aplenty. When I visited you last, we all shared in the experiences of raising our chins to the staunch, and blanche challenge above all our heads, the blankness that has become the icon of government institutions. White walls, white house, grey buildings, grey skies. As you can see above you, it is still there, empty and waiting, and here we still are, eager and willing.

I have a vision of government for and by the localities it represents, as colorful and diverse, as creative and cooperative as its citizens strive to be. I believe that we, as active participants in the funding of these institutions should be active participants in molding them into serving our collective needs and visions. Earth dwellers need culture, we need our governments to step out of the dullness of grey concrete, out of the pale and stale blankness of white paint, and into our worlds, our diverse, colorful, cooperative worlds.

May we pass this resolution, as a signal that we are willing to continue walking out of the fog, until we see our green earth again.

Thank you for your dedication and service,
may we meet again soon!



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Best,
Cory Ray

³Note: The following petition was submitted to the City Clerk's Office on December 18, 2013. The petition was signed by five (5) City of Binghamton residents. The original petition is attached to these minutes.

We, the undersigned, call upon the members of City Council to support resolution RL 13-100, to enter into an agreement with the Binghamton University Research Foundation for the use of FY 39 CDBG funding to support the Multi-Cultural Resource Center College Mentoring Program.

As students, it is important to have opportunities to connect with mentors and other community resources in order to be successful at school and in the community.

This program provides us with support in reached our goals of graduating from high school and attending college.

Recent cuts to school funding has resulted in the loss of programs, such as the College Connection, and the Multi-Cultural Resource Center Mentoring Program will provide some assistance to us students in the City of Binghamton in connecting to college and providing positive youth leadership development.

SECOND READING LEGISLATION

Introductory Ordinance 13-94. Considered in Finance, Chair: Webb

An Ordinance to establish a capital line for records management software, including parcel management

Note: Item first considered at the Business Meeting held on December 4, 2013.

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

Motion carried. Legislation adopted as Permanent Ordinance 13-97. (Vote 6-1)

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

Nays: Mihalko

Introductory Resolution 13-93. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Mothers and Babies Perinatal Network for the use of FY 39 CDBG funding in an amount not to exceed \$20,000

Note: Item first considered at the Business Meeting held on December 4, 2013.

1. Motion to allow Council President Rennia to abstain from voting upon this legislation, as a family members works for the organization in question.

Moved by Berg, seconded by Motsavage.

Voice vote, none opposed.

2. Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

Motion carried. Legislation adopted as Permanent Resolution 13-101. (Vote 6-0-1)

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

Nays: None

Abstain: Rennia



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Suspension of Rules. Motion to suspend the rules to consider Introductory Resolutions 13-94 through 13-101 together as a group.

Moved by Berg, seconded by Webb.

Voice vote, none opposed.

Introductory Resolutions 13-94 through 13-101. Considered in Finance, Chair: Webb

Motion to approve Introductory Resolutions 13-94 through 13-101, as outlined below.

Moved by Webb, seconded by Motsavage.

Motion carried. Permanent numbers outlined below. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 13-94. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Cornell Cooperative Extension for the use of FY 39 CDBG funding in an amount not to exceed \$19,250

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-102.

Introductory Resolution 13-95. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Broome County Urban League for the use of FY 39 CDBG funding in an amount not to exceed \$16,735

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-103.

Introductory Resolution 13-96. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with ACHIEVE for the use of FY 39 CDBG funding in an amount not to exceed \$10,000

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-104.

Introductory Resolution 13-97. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Boys and Girls Club for the use of FY 39 CDBG funding in an amount not to exceed \$6,020

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-105.

Introductory Resolution 13-98. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with HAVEN Afterschool Program for the use of FY 39 CDBG funding in an amount not to exceed \$11,410

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-106.

Introductory Resolution 13-99. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Binghamton University Research Foundation for the



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use of FY 39 CDBG funding to support the Multi-Cultural Resource Center College Mentoring Program in an amount not to exceed \$6,600

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-107.

Introductory Resolution 13-100. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Action for Older Persons for the use of FY 39 CDBG funding in an amount not to exceed \$19,985

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-108.

Introductory Resolution 13-101. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Center for Employment Opportunities for the use of FY 39 CDBG funding in an amount not to exceed \$20,000

Note: Item first considered at the Business Meeting held on December 4, 2013.

Legislation adopted as Permanent Resolution 13-109.

FIRST READING LEGISLATION

Introductory Local Law 13-4. Considered in Municipal and Public Affairs, Chair: Motsavage

A Local Law establishing a Public Arts Commission

Note: Notice of a public hearing was published in the Press & Sun Bulletin on Friday December 13, 2013. The public hearing was held during this Business Meeting.

1. Motion to approve legislation.
Moved by Motsavage, seconded by Webb.
2. Motion to hold legislation until the end of the meeting, until the correct attachment can be provided.
Moved by Berg, seconded by Webb.

Item held until the end of the meeting.

Introductory Ordinance 13-104. Considered in Finance, Chair: Webb

An Ordinance authorizing the Mayor to submit an application under the New York State Homes and Community Renewal 2013-2014 Home Improvement Grant

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

Motion carried. Legislation adopted as Permanent Ordinance 13-98. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Ordinance 13-105. Considered in Finance, Chair: Webb

An Ordinance amending the 2013 City Hall budget

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

Motion carried. Legislation adopted as Permanent Ordinance 13-99. (Vote 6-1)

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

Nays: Renna



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Introductory Ordinance 13-106. Considered in Finance, Chair: Webb

An Ordinance creating a new capital budget line in the 2013 Binghamton-Johnson City Joint Sewage Board budget and transferring funds thereto for plant outfall periodic dredging

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

Motion carried. Legislation adopted as Permanent Ordinance 13-100. (Vote 7-0)

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

Nays: None

Introductory Ordinance 13-107. Considered in Finance, Chair: Webb

An Ordinance authorizing a transfer in the Community Development Block Grant FY 37 budget, and authorizing an increase of up to \$10,000 in contractual expenses with Interface Studio

1. Motion to approve legislation.
Moved by Webb, seconded by Motsavage.
2. Motion to hold legislation until the end of the meeting.
Moved by Webb, seconded by Berg.

Item held until the end of the meeting.

Introductory Ordinance 13-108. Considered in Finance, Chair: Webb

An Ordinance amending the 2013 Water and Sewer Department budget

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

Motion carried. Legislation adopted as Permanent Ordinance 13-101. (Vote 7-0)

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

Nays: None

Introductory Ordinance 13-109. Considered in Finance, Chair: Webb

An Ordinance amending the 2013 Risk Management to transfer \$20,000 from budget line M1910.54900 (Provision for Incurred Loss) to budget line M1910.54430 (Legal Services)

Note: Councilwoman Webb requested that her name be added to the sponsor list.

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

Motion carried. Legislation adopted as Permanent Ordinance 13-102. (Vote 7-0)

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

Nays: None

Introductory Ordinance 13-110. Considered in Planning and Community Development, Chair: Webb

An Ordinance amending Section 327-2.C of the Code of the City of Binghamton, extending the Outdoor Café season

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

Motion carried. Legislation adopted as Permanent Ordinance 13-103. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-110. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with First Ward Action Council in the amount of \$25,000



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for FY 39 Community Development Block Grant (CDBG) funding for First Ward Action Council Senior Housing Repair program

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

Motion carried. Legislation adopted as Permanent Resolution 13-110. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 13-111. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to accept \$48,500 in grant funds from the Stewart W. and Wilma C. Hoyt Foundation, Inc. for a Green Stormwater and Landscaping Matching Fund (GSLMF)

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

Motion carried. Legislation adopted as Permanent Resolution 13-111. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 13-112. Considered in Finance, Chair: Webb

A Resolution to accept a \$250 donation from NYSEG in appreciation for the assistance that the Binghamton Fire Department provided NYSEG during storm and service related emergencies

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

Motion carried. Legislation adopted as Permanent Resolution 13-112. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 13-113. Considered in Finance, Chair: Webb

A Resolution authorizing the acceptance of \$35,000 in overtime funds from the United States Marshal for Warrant & Gang Task Force

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

Motion carried. Legislation adopted as Permanent Resolution 13-113. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 13-114. Considered in Finance, Chair: Webb

A Resolution authorizing the acceptance of \$15,000 in overtime funds from the Federal Bureau of Investigations for joint narcotics investigations

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

Motion carried. Legislation adopted as Permanent Resolution 13-114. (Vote 7-0)

Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 13-115. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with VINES, Inc. for the use of FY 39 CDBG funding in an amount not to exceed \$50,000.



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1. Motion to approve legislation.
Moved by Webb, seconded by Motsavage.
2. Motion to amend the legislation, adding a second WHEREAS, stating the following, "WHEREAS, the funds shall be disbursed over the course of three (3) years, \$25,000.00 to be allocated during the first year, \$15,000.00 to be allocated during the second year, and \$10,000.00 to be allocated during the third year."
Moved by Webb, seconded by Motsavage.
Voice vote, none opposed.
3. Motion to approve legislation, as amended.
Moved by Webb, seconded by Motsavage.
Motion carried. Legislation adopted as Permanent Resolution 13-115. (Vote 7-0)
Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg
Nays: Non

Introductory Resolution 13-116. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to enter into an agreement with Catholic Charities of Broome County for the use of FY 39 CDBG funding in an amount not to exceed \$10,000

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

Motion carried. Legislation adopted as Permanent Resolution 13-116. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-117. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution renaming State Street Park as Phelps Park

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

Motion carried. Legislation adopted as Permanent Resolution 13-117. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-118. Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution approving the adoption of the Binghamton-Johnson City Joint Sewage Treatment Facilities Intermunicipal Agreement X (Master IMA)

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

Motion carried. Legislation adopted as Permanent Resolution 13-118. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-119. Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution naming a new street as Mount Prospect Pass

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

Motion carried. Legislation adopted as Permanent Resolution 13-119. (Vote 7-0)

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

Nays: None



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Introductory Local Law 13-4. Considered in Municipal and Public Affairs, Chair: Motsavage

A Local Law establishing a Public Arts Commission

Note: Notice of a public hearing was published in the Press & Sun Bulletin on Friday December 13, 2013. The public hearing was held during this Business Meeting.

1. Motion to approve legislation.
Moved by Motsavage, seconded by Webb.
2. Motion to hold the legislation.
Moved by Papastrat, seconded by Matzo.
Motion withdrawn.
3. Motion to table the legislation, sending it back to the Committee on Municipal and Public Affairs.
Moved by Papastrat, seconded by Matzo.
Motion carried. Item tabled. (Vote 4-3)
Ayes: Mihalko, Papastrat, Matzo, Berg
Nays: Motsavage, Renna, Webb

Introductory Ordinance 13-107. Considered in Finance, Chair: Webb

An Ordinance authorizing a transfer in the Community Development Block Grant FY 37 budget, and authorizing an increase of up to \$10,000 in contractual expenses with Interface Studio

1. Motion to approve legislation.
Moved by Webb, seconded by Motsavage.
2. Motion to amend the legislation, eliminating the second WHEREAS, and amending the end of Section 1 to include the following language, "pending approval by the Board of Estimate and Apportionment".
Moved by Webb, seconded by Motsavage.
Voice vote, none opposed.
3. Motion to approve legislation, as amended.
Moved by Webb, seconded by Motsavage.
Motion carried. Legislation adopted as Permanent Resolution 13-103. (Vote 7-0)
Ayes: Motsavage, Mihalko, Renna, Webb, Papastrat, Matzo, Berg
Nays: None

COMMUNICATIONS FROM COUNCIL MEMBERS

Berg, Motsavage, Mihalko, Webb, Papastrat, Matzo, Renna

ADJOURNMENT

Motion to adjourn at 8:31pm.

Moved by Matzo, seconded by Berg.

Voice vote, none opposed.

Tara Betts
1208 Vestal Ave., 2nd Floor
Binghamton, NY 13903

Binghamton City Council
City of Binghamton
38 Hawley Street
Binghamton New York, 13901

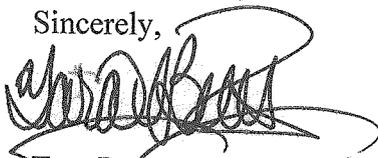
To whom it my concern:

I am writing this letter in support of the current proposal before Council to create a Public Art Commission. The impact of the arts on community cannot be overstated. The idea that Public Art can combat blight, promote civic engagement, and encourage economic development is well documented.

The ability to celebrate local history, promote ethnic diversity and encourage cultural tourism are embedded in Public Art. The incorporation of Public Art improves the public realm and restores pride of place in citizens. Public Art creates opportunities to promote collaborations with Binghamton University, Broome Community College, Binghamton High School and community residents. Also, the creation of a Public Art Commission ensures the promotion and implementation of Public Art within the City. By removing this responsibility from the Commission on Architecture and Urban Design (CAUD) the City can better focus on art as a tool for continued community development.

In conclusion I strongly urge City Council to support the changes to Article VI regarding the current role of CAUD, and support the transfer of responsibility for Public Art to a newly created Commission of Public Art. Thank you in advance for your consideration of this matter.

Sincerely,



Tara Betts

RECEIVED

DEC 9 2013

OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON

Holmes, Angela

From: Cory Ray [CoryRay.endeavor@gmail.com]
Posted At: Wednesday, December 18, 2013 5:48 PM
Conversation: Form submission from: Contact Form
Posted To: Clerk

Subject: Form submission from: Contact Form

Submitted on December 18, 2013 - 5:48pm Details:

Your name Cory Ray

Your e-mail address CoryRay.endeavor@gmail.com

To Angela Holmes

Subject Public Art Commission

Message

Honorable City Council,

My name is Cory Ray, I live on 291 Clinton Street in Binghamton, in Mr. Motsavage's District. I write to you today because I am ill and do not feel well enough to visit you in person, although I am with you and our fellow citizens in spirit.

I write to you today in support of a public art commission, led and constructed by artists, tempered by local flavors and input aplenty. When I visited you last, we all shared in the experiences of raising our chins to the staunch, and blanche challenge above all our heads, the blankness that has become the icon of government institutions. White walls, white house, grey buildings, grey skies. As you can see above you, it is still there, empty and waiting, and here we still are, eager and willing.

I have a vision of government for and by the localities it represents, as colorful and diverse, as creative and cooperative as its citizens strive to be. I believe that we, as active participants in the funding of these institutions should be active participants in molding them into serving our collective needs and visions. Earth dwellers need culture, we need our governments to step out of the dullness of grey concrete, out of the pale and stale blankness of white paint, and into our worlds, our diverse, colorful, cooperative worlds.

May we pass this resolution, as a signal that we are willing to continue walking out of the fog, until we see our green earth again.

Thank you for your dedication and service,
may we meet again soon!

Best,
Cory Ray
CR

The results of this submission may be viewed at: <http://www.binghamton-ny.gov/node/1427/submission/1752>

We, the undersigned, call upon the members of City Council to support resolution RL-13-100, to enter into an agreement with the Binghamton University Research Foundation for the use of FY 39 CDBG funding to support the Multi-Cultural Resource Center College Mentoring Program.

- As students, it is important to have opportunities to connect with mentors and other community resources in order to be successful at school and in the community
- This program provides us with support in reaching our goals of graduating from high school and attending college
- Recent cuts to school funding has resulted in the loss of programs, such as the College Connection, and the Multi-Cultural Resource Center Mentoring Program will provide some assistance to us students in the City of Binghamton in connecting to college and providing positive youth leadership development

	First Name	Last Name	Street Address	Zip Code	Comment
1	Preasia Townsend	Townsend	553 Chenango St	13901	
2	Matthew	Washington	28 Pearl Ave	13903	
3	Catalina	Buchta	13 mill st	13903	
4	Jacura	Richard	224 Conklin Ave	13903	
5	Dakota Sivers	Sivers	53 Griswold St Apt. 1	13904	
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