



LEGISLATIVE BRANCH CITY OF BINGHAMTON

William Berg, City Council President
Jeremy Pelletier, City Clerk

MINUTES
City Council Business Meeting
Council Chambers, 38 Hawley Street, Binghamton, N.Y.
Wednesday June 17, 2015

CALL TO ORDER

Called to order by Council President Berg at 6:30pm.

PLEDGE OF ALLEGIANCE

Council President Berg 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: Jeremy Pelletier, City Clerk; Lai Huynh, Deputy City Clerk; Allison Sosa, First Assistant Corporation Counsel

REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Motion to approve the minutes from the Business Meeting held Wednesday June 3, 2015.

Moved by Rennia, seconded by Webb.

Voice vote, none opposed.

RECOGNITIONS AND ACKNOWLEDGEMENTS

Councilwoman Rennia read a proclamation in honor of the Binghamton graduating class of 2015 in to the record.

Councilman Mihalko read a proclamation in honor of the Seton Catholic graduating class of 2015 in to the record.

City Clerk Pelletier read a proclamation in honor of Burr Keeler upon the occasion of his retirement into the record.

Councilwoman Webb read a proclamation in honor of Juneteenth into the record.

APPROVAL OF APPOINTMENTS

Motion to approve Mario DiFulvio to the Binghamton Planning Commission.

Moved by Rennia, seconded by Webb.

Voice vote, none opposed

Motion to approve Meredith Starks as a City Council representative to the Shade Tree Commission.

Moved by Rennia, seconded by Webb.

Voice vote, none opposed.

PUBLIC COMMENT/COMMUNICATIONS

Berry Koffman, Morton Forman, Richard Jallon, Michael Dundon, John Solak, Teresa Bovier¹, Denise Yull², Ruth Bleichard, Sherry Weiss, Susan Link, Robert Black, Ed Crumb, Aviva Frimant, Issac Silberman-Gorn, Sean Massey, Cory Ray



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¹**Suspension of the Rules.** Motion to suspend the rules to allow Teresa Bovier, a resident of the Town of Binghamton to speak during public comment.

Moved by Webb, seconded by Renna.

Voice vote, none opposed.

²**Suspension of the Rules.** Motion to suspend the rules to allow Denise Yull, a resident of the Town of _____ to speak during public comment.

Moved by Webb, seconded by Renna.

Voice vote none opposed.

Email from Keri Hagar received on June 5, 2015 opposing the Washington Street parking project.

Email from Sharon Nieminski received on June 17, 2015 regarding the need to pave Riverview Avenue

Email from Shawna Stevenson received on June 17, 2015 supporting the proposed Police Modernization Law

REVIEW OF MAYORAL VETO

Introductory Ordinance 15-31. Considered in Public Works/Parks & Recreation, Chair: Motsavage

An Ordinance amending the Binghamton Johnson City Joint Sewage Treatment Plant Facilities Intermunicipal agreement X (Master IMA)

Note: This legislation was adopted by the Council of the City of Binghamton at a Business Meeting held on June 3, 2015, and was presented to Mayor Richard C. David on June 4, 2015. The Mayor vetoed the amendment to the legislation adopted by the Council of the City of Binghamton on June 3, 2015, and submitted his veto message to the City Clerk's Office on June 11, 2015.

1. Motion to override the Mayoral veto

Moved by Renna, no second was received.

Motion failed. Mayoral Veto sustained.

2. Motion to approve legislation.

Motion carried. Legislation adopted as Permanent Ordinance 15-34. (Vote 6-1)

Moved by Motsavage, seconded by Mihalko.

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

Nays: Renna

FIRST READING LEGISLATION

Introductory Ordinance 15-34. Considered in Finance, Chair: Motsavage

An Ordinance authorizing a transfer in the 2015 budget to fund the City's match for the 2014 Assistance to Firefighters Grant

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

Motion carried. Legislation adopted as Permanent Ordinance 15-35. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-35. Considered in Municipal and Public Affairs, Chair: Renna

An Ordinance amending Chapter 307-3 of the Code of the City of Binghamton regarding peddler exceptions

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



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Motion carried. Legislation adopted as Permanent Ordinance 15-36. (Vote 6-0-1)

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

Nays: None

Absent: Webb

Introductory Ordinance 15-37. Considered in Finance, Chair: Motsavage

An Ordinance amending Permanent O15-17 to include adjustments for sewer bills

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

Motion carried. Legislation adopted as Permanent Ordinance 15-37. (Vote 7-0)

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

Nays: None

Point of Order. Council President Berg stepped down from the Presidents chair to speak on Introductory Ordinance 15-37. Council President Pro Temp Webb assumed the chair.

Point of Order. Council President Berg assumed the Presidents chair.

Introductory Resolution 15-57. Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with Travelers Insurance for crime insurance

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

Motion carried. Legislation adopted as Permanent Ordinance 15- 57. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-58. Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into Supplemental Agreement No. 1 with NYSDOT for the South Washington Street Pedestrian Bridge project, PIN 9753.96)

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

Motion carried. Legislation adopted as Permanent Ordinance 15-58. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-59. Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into Supplemental Agreement No. 2 with NYSDOT for the Exchange Street Bridge Rehabilitation project, PIN 9753.10

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

Motion carried. Legislation adopted as Permanent Ordinance 15-59. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-60. Considered in Municipal and Public Affairs, Chair: Renna

A Resolution authorizing free parking July 9-12, 2015 for Julyfest

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

Motion carried. Legislation adopted as Permanent Ordinance 15-61. (Vote 7-0)

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



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Nays: None

Introductory Resolution 15-61. Considered in Planning and Community Development, Chair: Webb

A Resolution declaring City Council as Lead Agency under SEQR for the BAF Restoration and Rehabilitation and a Negative Declaration

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

Motion carried. Legislation adopted as Permanent Ordinance 15-60. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-62. Considered in Public Works/Parks & Recreation, Chair: Motsavage

A Resolution authorizing the issuance of up to 25 free pool passes for each of the middle and elementary schools in the Binghamton City School District

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

Motion carried. Legislation adopted as Permanent Ordinance 15-62. (Vote 7-0)

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

Nays: None

COMMUNICATIONS FROM COUNCIL

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

ADJOURNMENT

Motion to adjourn at 8:47pm.

Moved by Renna, seconded by Webb.

Voice vote, none opposed.

Pelletier, Jeremy

From: Sharon Nieminski [nieminski737@gmail.com]
Sent: Wednesday, June 17, 2015 4:56 PM
To: Clerk
Subject: Fwd: Riverview Ave. Deterioration -- East Side Mill & Pave
Attachments: ATT_1431021446193_IMG_20150504_164304718.jpg; ATT_1431021502863_IMG_20150504_163935088.jpg; ATT_1431022065143_IMG_20150504_163853619.jpg

Dear Jeremy-please read this tonite, as I can't attend! Thank you. I am in Class.

----- Forwarded message -----

From: "Sharon Nieminski" <nieminski737@gmail.com>
Date: Jun 5, 2015 1:18 PM
Subject: Riverview Ave. Deterioration -- East Side Mill & Pave of Riverview Ave.
To: <dpw@cityofbinghamton.com>
Cc: <district7@cityofbinghamton.com>, "Jared Kraham" <jmkraham@cityofbinghamton.com>

> Dear City of Binghamton, and Council Members,

>

> I spoke with President Berg and find that Riverview Ave. is not in the budget for paving! I won't even drive my car on Riverview due to the blacktop breaking up.

> Please view three (3) pics of deterioration I'm sending of Riverview from English to Rubin (only approx. 10 physical properties in length).

>

> Residents find it hard to believe paving is not extended west from Garden to at least Rubin. I have had residents & DPW place and pick up huge broken pieces of blacktop chunks to the side of Riverview's curb. DPW patched in front of #29 - #31 Riverview, but many new locations of potholes and blacktop chunks are being tossed around by vehicles coming down the hill headed west. One chunk flew in air & almost hit me during my walks on Riverview's sidewalk.

> These broken up blacktop chunks even settle around the storm sewer grates.

>

> Please review this East Side request to find it in the budget to mill and pave at least the worst half of Riverview this year

You can see from my recent pics this needs attention this year or someone could get hurt.

>

> Thank You.

>

> Regards,

>

> Sharon Nieminski

Pelletier, Jeremy

From: Keri Hagar [donotreply@wordpress.com]
Sent: Friday, June 05, 2015 1:01 PM
To: Pelletier, Jeremy; Bill Berg - external; Kraham, Jared; johnmatzo6thdistrict@gmail.com; cpapastrat1@gmail.com; Mihalko, Joseph; Martinez, Tito
Subject: Say No to David's Dead End - Please Read This Into the Record

Name: Keri Hagar

Email: ksned1@aol.com

Binghamton Street Address: <http://163Washingtonst#3>

Comment: The parking lot idea is ridiculous. Noone seems to mention that this was a parking lot many many years ago and it didn't work out well. It was trunrd into a courtyard for a reason. Due to 1 yes 1 greedy business owner buddying up to our mayor they managed to come and destroy the courtyard in the beginning of November about 9 days after I personally visited the mayors office and was told "no absolutely not there is no plan for a parking lot there" I visited every area of the city offices and was told the same thing, no parking lot. Now us business owners in the courtyard are left with a barren concrete jungle that looks hideous and am suffering from lack of business because no one comes into the courtyard anymore. I am a single mother with 3 children who owns a salon in this courtyard. The greed of this unnamed biz owner has cost me severely and if this is not remedied I may end up closing my business :(

Time: 06/05/2015 at 1:01 pm

IP Address: 45.47.247.0

Contact Form URL: <https://halfmillionbinghamton.wordpress.com/take-action/>

Sent by an unverified visitor to your site.

Pelletier, Jeremy

From: Shawna Stevenson [shawna.heather@gmail.com]
Sent: Wednesday, June 17, 2015 5:50 PM
To: Pelletier, Jeremy
Subject: Form submission from: Contact Form

Submitted on June 17, 2015 - 5:50pm Details:

Your name Shawna Stevenson

Your e-mail address shawna.heather@gmail.com

To Jeremy Pelletier

Subject Public Comment for 6/17/2015

Message

Hello,

I request that the following message be read into the record at tonight's City Council Business Meeting.

I live on 130 Helen Street in the City of Binghamton, and I want to thank City Council for diligently working with the Binghamton Human Rights Commission and the Binghamton Police Department in developing the language of the Police Modernization Law. I am in full support of this kind of legislation because it will address major concerns in how law enforcement approaches minorities in our community. Our law enforcement officers need cultural competency and anti-racism training and the support from the City to receive this important resource.

Furthermore, I am in favor of legislation over mere policy change because the current policy has not and cannot be enforced without the formal regulation and accountability of legislation.

Thank you for your time and consideration.

The results of this submission may be viewed at: <http://www.binghamton-ny.gov/node/1427/submission/6804>