



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

William Berg, City Council President
Joseph Merrill, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON

Business Meeting Minutes

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

Wednesday October 7, 2015

CALL TO ORDER

Called to order by Council President Berg at 6:32pm.

PLEDGE OF ALLEGIANCE

Council President Berg led the Pledge of Allegiance.

ROLL CALL

Present: Jerry Motsavage, Joseph Mihalko, Teri Rennia (6:44pm), Lea Webb, Chris Papastrat, John Matzo, Bill Berg

Absent: None

Also in attendance: 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 on Wednesday September 23, 2015.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

Motion to approve the minutes from the Finance Committee meetings held on: Monday September 21, 2015; Tuesday, September 22, 2015; Wednesday September 23, 2015; Monday September 28, 2015; Monday October 5, 2015; Wednesday October 7, 2015.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

SET PUBLIC HEARINGS

Deputy City Clerk Huynh noted for the record that the Council of the City of Binghamton will hold a public hearing during the regular scheduled City Council Business Meeting on **October 21, 2015** at 6:30pm, concerning **Introductory Ordinance 15-71 "An Ordinance adopting the Tax Budget for the year 2016."** This meeting will be held in the City Council Chambers located at 38 Hawley St, Binghamton, New York. For more information, please contact the City Clerk by phone at (607) 772-7005, or by email at clerk@cityofbinghamton.com.

Note: Notice of the public hearing will be published in the Press and Sun Bulletin on October 16, 2015.

Deputy City Clerk Huynh noted for the record that the Council of the City of Binghamton will hold a public hearing during the regular scheduled City Council Business Meeting on **October 21, 2015** at 6:30pm, concerning **Introductory Ordinance 15-72 "An Ordinance authorizing the Mayor to adjust FY41 HOME program income and FY41 HOME Rehab budget."** This meeting will be held in the City Council Chambers located at 38 Hawley St, Binghamton, New York. For more information, please contact the City Clerk by phone at (607) 772-7005, or by email at clerk@cityofbinghamton.com.

Note: Notice of the public hearing will be published in the Press and Sun Bulletin on October 16, 2015.

PUBLIC COMMENT/COMMUNICATION

Brian Noonan¹, Maria Motsavage, Luciano Piccirilli, Cory Ray, Dara Silberstein, George Slavik, Dean Rypkema²

City Hall ▪ 38 Hawley Street ▪ Binghamton, NY 13901 ▪ www.binghamton-ny.gov

Phone: (607) 772-7005 ▪ Fax: (607) 772-7155



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¹Motion to suspend the rules to allow Brian Noonan, a resident of Utica to speak during public comment.
Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.

²Motion to suspend the rules to allow Dean Rypkema, a resident of Owego to speak during public comment.
Moved by Motsavage, seconded by Matzo.

Voice vote, none opposed.

Point of Order. First Assistant Corporation Counsel Sosa noted for the record that one of the cases presented in the Mayoral veto message for **Introductory Ordinance 15-58** was from the New York State Court of Appeals, which is the highest court in New York State.

RECONSIDERED LEGISLATION

Introductory Ordinance 15-57, Considered in Public Works/Parks and Recreation, Chair: Motsavage

An Ordinance repealing an order of the Binghamton Traffic Board to install stop signs at the intersection of Oak and Leroy Street and ordering the re-installation of a traffic signal at said intersection

Note: This legislation was adopted by the Council of the City of Binghamton at the Business Meeting held on September 23, 2015, and was presented to Mayor Richard C. David on September 24, 2015. The Mayor vetoed Introductory O15-57, and submitted his veto message to the City Clerk's Office on October 2, 2015. Due to the veto, no Permanent Number was assigned.

Motion to override veto.

Moved by Webb, seconded by Rennia.

Motion failed. (Vote 4-3)

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Papastrat, Matzo

Veto sustained.

Introductory Ordinance 15-58, Considered in Finance, Chair: Motsavage

An Ordinance amending the 2015 Budget to create budget lines for the Binghamton Human Rights Commission

Note: This legislation was adopted by the Council of the City of Binghamton at the Business Meeting held on September 23, 2015, and was presented to Mayor Richard C. David on September 24, 2015. The Mayor vetoed Introductory O15-58, and submitted his veto message to the City Clerk's Office on October 2, 2015. Due to the veto, no Permanent Number was assigned.

Motion to override veto.

Moved by Webb, seconded by Rennia.

Motion failed. (Vote 4-3)

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Papastrat, Matzo

Veto sustained.

FIRST READING LEGISLATION

Introductory Ordinance 15-62, Considered in Finance, Chair: Motsavage

An Ordinance amending the 2015 Water Department Budget to transfer \$30,000 from JSTP IPP to Overtime to fund overdrawn overtime

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

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



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

Nays: None

Introductory Ordinance 15-63, Considered in Rules and Procedures/Special Studies, Chair: Rennia

An Ordinance modifying the IMA for the Joint Sewage Treatment Plant

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

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

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

Nays: None

Introductory Ordinance 15-64, Considered in Finance, Chair: Motsavage

An Ordinance amending the 2015 Budget to transfer \$8,000 from Postage to Temporary Services to fund a Temporary Stores Keeper

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

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

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

Nays: None

Introductory Ordinance 15-65, Considered in Finance, Chair: Motsavage

An Ordinance amending the 2015 Budget for transfers in the General, Parking Ramps, Water and Sewer funds for under budgeted Serial Bond principal and over budgeted Serial Bond interest

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

Motion carried. Legislation adopted as Permanent Ordinance 15-63. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-66, Considered in Finance, Chair: Motsavage

An Ordinance amending the 2015 Budget to fund Park Rangers' wages

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

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

Motion carried. Legislation adopted as Permanent Ordinance 15-64. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-67, Considered in Planning and Community Development, Chair: Webb

An Ordinance amending the FY33-39 CDBG Budgets to transfer \$300,000 to Public Infrastructure to fund public infrastructure improvements

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

Motion to hold legislation.

Moved by Rennia, seconded by Webb.

Item held.

Introductory Ordinance 15-68, Considered in Planning and Community Development, Chair: Webb

An Ordinance authorizing the sale of 72 Court St. to M.B. Yonaty Development, LLC for \$75,000

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



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Point of Order. Council President Berg stepped down from the President's chair at 7:48pm to speak on Introductory Ordinance 15-68. Council President Pro Tem Webb assumed the chair.

Point of Order. Council President Berg assumed the President's chair at 7:49pm.

Motion to hold legislation till end of meeting.

Moved by Rennie, seconded by Webb.

Introductory Ordinance 15-69, Considered in Public Works/Parks and Recreation, Chair: Motsavage

An Ordinance authorizing the free disposal of one bulk item per household from October 13-16, 2015

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

Motion carried. Legislation adopted as Permanent Ordinance 15-65. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-70, Considered in Public Works/Parks and Recreation, Chair: Motsavage

An Ordinance authorizing the City to accept donation of professional services for the OurSpace project at Recreation Park from Landscape Architect Nicholas Corcoran, RLA

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

Motion carried. Legislation adopted as Permanent Ordinance 15-66. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-73, Considered in Employees, Chair: Webb

An Ordinance amending the 2015 City Clerk Budget to defund the Senior Account Clerk Typist position and to add a Senior Account Clerk position

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

Motion carried. Legislation adopted as Permanent Ordinance 15-67. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-98, Considered in Finance, Chair: Motsavage

A Resolution authorizing the acceptance of \$210,104 in grant funds from the NYS Division of Criminal Justice Services Gun Involved Violence Elimination Initiative (GIVE) to fund the salary and benefits for one Crime Analyst position and one Field Intelligence Officer position

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

Motion carried. Legislation adopted as Permanent Resolution 15-97. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-99, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to renew agreements with various Broome County department, outside agencies and municipalities for the STOP-DWI Program for 2015

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

Motion carried. Legislation adopted as Permanent Resolution 15-98. (Vote 7-0)

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

Nays: None



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Introductory Resolution 15-100, Considered in Finance, Chair: Motsavage

A Resolution approving a façade loan in the amount of \$100,000 and a Special Project loan in the amount of \$100,000 to One North Depot, LLC to assist with the reconstruction of 1 North Depot Street in preparation for conventional financing to facilitate a future mixed use project

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

Motion carried. Legislation adopted as Permanent Resolution 15-99. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-101, Considered in Municipal and Public Affairs, Chair: Rennie

A Resolution authorizing free parking for the Columbus Day Parade to be held on October 12, 2015

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

Motion carried. Legislation adopted as Permanent Resolution 15-100. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-102, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement for anti-harassment training

Note: Council members requested their names be removed from the sponsor list as the legislation was not completed on time due to lack of information.

Introductory Resolution 15-103, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with Binghamton University for assignment of a University Liaison Officer

Motion to allow Councilwoman Webb to abstain from voting as she works for Binghamton University.

Moved by Rennie, seconded by Motsavage.

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

Motion carried. Legislation adopted as Permanent Resolution 15-101. (Vote 6-0-1)

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

Nays: None

Abstain: Webb

Introductory Resolution 15-104, Considered in Planning and Community Development, Chair: Webb

A Resolution authorizing the Mayor to amend FY40 ESG contract with Family Enrichment Network, Inc

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

Motion carried. Legislation adopted as Permanent Resolution 15-102. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-68, Considered in Planning and Community Development, Chair: Webb

An Ordinance authorizing the sale of 72 Court St. to M.B. Yonaty Development, LLC for \$75,000

Motion to reintroduce Ordinance 15-68. Moved by Webb, seconded by Motsavage.

Motion to hold legislation.

Moved by Webb, seconded by Rennie.



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Item held.

COMMUNICATIONS FROM COUNCIL MEMBERS

Motion to suspend the rules to cancel "Communications from Council Members" in order to begin the scheduled Special Work Session.

Moved by Matzo, seconded by Papastrat.

Voice vote, none opposed.

ADJOURNMENT

Motion to adjourn at 8:22pm.

Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.