



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 November 4, 2015

CALL TO ORDER

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

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: 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 October 21, 2015.

Moved by Rennia, seconded by Webb.

Voice vote, none opposed.

PUBLIC COMMENT/COMMUNICATION

Joshua Reap, Scott Colton, ¹Tom Zalocha, Todd Burt, Tom Spicer, Herb Rogers, ²Ron Havens, ³Dan Sabano, Michael Dundon, ⁴Luciano Piccirilli, ⁵Dan Richardson, ⁶Tom McKelly, Mike Azersky, ⁷Kevin Dyer, ⁸Tim Coughlin, ⁹Allen Jones, David Marsh, Bruce Weissman, Mary Clark, Danny Paul, Jenny Kontz, John Solak, ¹⁰Rob Hawkins, ¹¹Bob Reed

Point of Order. Councilwoman Rennia noted for the record that the PLA does not come back to City Council after negotiation.

¹Motion to suspend the rules to allow Tom Zalocha, 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 Ron Havens, a resident of Vestal to speak during public comment.

Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

³Motion to suspend the rules to allow Dan Sabano, a resident of Endwell to speak during public comment.

Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

⁴Motion to suspend the rules to allow Luciano Piccirilli, a resident of the Town of Binghamton to speak during public comment.

Moved by Webb, seconded by Rennia.

Voice vote, none opposed.



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⁵Motion to suspend the rules to allow Dan Richardson, a resident of Elmira to speak during public comment.
Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

⁶Motion to suspend the rules to allow Tom McKelly, a resident of Marcellus to speak during public comment.
Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

⁷Motion to suspend the rules to allow Kevin Dyer, a resident of Vestal to speak during public comment.
Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

⁸Motion to suspend the rules to allow Tim Coughlin, a resident of Vestal to speak during public comment.
Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

⁹Motion to suspend the rules to allow Allen Jones, a resident of the Town of Binghamton to speak during public comment.

Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

¹⁰Motion to suspend the rules to allow Rob Hawkins, a resident of Oneonta to speak during public comment.
Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

¹¹Motion to suspend the rules to allow Bob Reed, a resident of _____ to speak during public comment.
Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

Adjournment. Motion to adjourn for five minutes at 7:44pm.

Moved by Rennia, seconded by Webb.

Voice vote, none opposed.

Reconvene. Called to order at 7:55pm by Council President Berg.

Present: Jerry Motsavage, Joseph Mihalko, Teri Rennia (arrived at 7:56pm), Lea Webb, Chris Papastrat, John Matzo, Bill Berg

Absent: None

Also in attendance: Lai Huynh, Deputy City Clerk; Allison Sosa, First Assistant Corporation Counsel

Email from Michael Dundon received on October 23, 2015 in support of PLA.

28 postcards from Laborers Local 785 in support of PLA.

29 postcards from IBEW Local 325 in support of PLA.



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SEQRA

Motion to declare City Council as Lead Agency.

Moved by Webb, seconded by Rennia.

Voice vote, none opposed.

Motion to list the Project as a Type 1 action (as a change in zoning affecting more than 25 acres).

Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.

Motion to refer to the Planning Commission proposed amendments to the Code of the City of Binghamton regarding electric vehicle charging stations.

Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.

SECOND READING LEGISLATION

Introductory Resolution 15-106, 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 \$250,000 to FDG Real Property Holdings, LLC to assist with the renovation of 73 Court Street and thereby facilitate development of a future mixed use residential project

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

Motion carried. Legislation adopted as Permanent Resolution 15-105. (Vote 4-3)

Ayes: Mihalko, Papastrat, Matzo, Berg

Nays: Motsavage, Rennia, Webb

Point of Order. Council President Berg stepped down from the President's chair at 8:05pm to speak on Introductory Resolution 15-106. Council President Pro Tem Webb assumed the chair.

Point of Order. Council President Berg assumed the President's chair at 8:07pm.

FIRST READING LEGISLATION

Introductory Ordinance 15-72, Considered in Planning and Community Development, Chair: Webb

An Ordinance authorizing the Mayor to amend FY41 HOME program income and FY41 HOME Rehab budget

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

Motion carried. Legislation adopted as Permanent Ordinance 15-75. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-78, Considered in Finance, Chair: Motsavage

An Ordinance authorizing transfers in the 2015 Engineering Budget to fund Temporary Services

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

Motion carried. Legislation adopted as Permanent Ordinance 15-76. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-79, Considered in Finance, Chair: Motsavage

An Ordinance authorizing transfers in the 2015 Engineering Budget to fund Overtime

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



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Motion carried. Legislation adopted as Permanent Ordinance 15-77. (Vote 7-0)

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

Nays: None

Introductory Ordinance 15-80, Considered in Finance, Chair: Motsavage

An Ordinance authorizing transfer in the 2015 Department of Public Works budget to cover the cost of hot mix and thermal plastic rings

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

Motion carried. Legislation adopted as Permanent Ordinance 15-78. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-107, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with GHD to amend Work Order No. 7 for the BAF Restoration and Rehabilitation at the Joint Sewage Treatment Facility

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

Motion carried. Legislation adopted as Permanent Resolution 15-106. (Vote 5-2)

Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg

Nays: Renna, Webb

Introductory Resolution 15-108, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution granting an easement to NYSEG for installation of the main service line into the terminal pumping station at the Joint Sewage Treatment Facility

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

Motion carried. Legislation adopted as Permanent Resolution 15-107. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-109, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with GHD for Work Order No. 8 for solids handling, outfall and lab renovation for the BAF Restoration and Rehabilitation at the Joint Sewage Treatment Facility

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

Motion carried. Legislation adopted as Permanent Resolution 15-108. (Vote 5-2)

Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg

Nays: Renna, Webb

Introductory Resolution 15-110, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with GHD to amend Work Order No. 6 for the BAF Restoration and Rehabilitation at the Joint Sewage Treatment Facility

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

Motion carried. Legislation adopted as Permanent Resolution 15-109. (Vote 5-2)

Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg

Nays: Renna, Webb



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Introductory Resolution 15-111, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with NYS DOT for the City to maintain a multi-use pathway along NYS 17/I-81 being constructed as part of the NYS 17/I-81 Interchange Reconstruction Project

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

Motion carried. Legislation adopted as Permanent Resolution 15-110. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-112, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with NYS DOT for the City to maintain, repair and energize lighting on NYS 17/I-81 installed as part of the NYS 17/I-81 Interchange Reconstruction Project

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

Motion carried. Legislation adopted as Permanent Resolution 15-111. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-113, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with NYS DOT allowing the State to perform work on City drainage lines on NYS 17/I-81 as part of the NYS 17/I-81 Interchange Reconstruction Project and for the City to maintain the drainage lines upon completion of project

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

Motion carried. Legislation adopted as Permanent Resolution 15-112. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-114, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with NYS DOT to use City sidewalk and curb ramps as part of the NYS 17/I-81 Interchange Reconstruction Project and for the City to maintain the sidewalk and curb ramps upon completion of project

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

Motion carried. Legislation adopted as Permanent Resolution 15-113. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-115, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with NYS DOT allowing the State to perform work on City sanitation lines on NYS 17/I-81 as part of the NYS 17/I-81 Interchange Reconstruction Project and for the City to maintain the sanitation lines upon completion of project

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

Motion carried. Legislation adopted as Permanent Resolution 15-114. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-116, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with NYS DOT for the City to maintain the standpipe being placed on NYS 17/I-81 as part of the NYS 17/I-81 Interchange Reconstruction Project



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

Motion carried. Legislation adopted as Permanent Resolution 15-115. (Vote 7-0)

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

Nays: None

Introductory Resolution 15-117, Considered in Public Works/Parks and Recreation, Chair: Motsavage

A Resolution authorizing the Mayor to enter into Supplemental Agreement No. 8 with Delta Engineers for the Front Street Reconstruction at the Norfolk-Southern Railroad Project, PIN 9752.74

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

Motion carried. Legislation adopted as Permanent Resolution 15-116. (Vote 5-2)

Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg

Nays: Renna, Webb

Introductory Resolution 15-118, Considered in Finance, Chair: Motsavage

A Resolution authorizing the Mayor to enter into a contract with New York State Office of Parks, Recreation and Historic Preservation for a \$500,000 grant for the OurSpace Project at Recreation Park, Project No. 148647

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

Motion carried. Legislation adopted as Permanent Resolution 15-117. (Vote 7-0)

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

Nays: None

COMMUNICATIONS FROM COUNCIL MEMBERS

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

ADJOURNMENT

Motion to adjourn at 9:10pm.

Moved by Webb, seconded by Papastrat.

Voice vote, none opposed.