



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Renna, City Council President
Angela Holmes, City Clerk

MINUTES
City Council Business Meeting
Council Chambers, 38 Hawley Street, Binghamton, N.Y.
Wednesday November 20, 2013

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Council President Renna led the Pledge of Allegiance.

ROLL CALL

Present: Jerry Motsavage, Joseph Mihalko, Teri Renna, 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 Special Business Meeting held on October 30, 2013 and from the regular Business Meeting held on November 6, 2013.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

Motion to approve the minutes from the Employees Committee meeting held on November 15, 2013.

Moved by Berg, seconded by Webb.

Voice vote, none opposed.

PUBLIC HEARING

Introductory Local Law 13-3. Considered in Municipal and Public Affairs, Chair: Motsavage

A Local Law amending Section 400-28 of the Code of the City of Binghamton, regarding City Council review of Traffic Board decisions.

Note: Notice of this public hearing was published in the Press & Sun Bulletin on Friday November 15, 2013.

In Favor: None

Opposed: None

SET PUBLIC HEARING

The City of Binghamton will hold a public hearing regarding "A Local Law establishing a Public Arts Commission" at the regularly scheduled City Council Business Meeting held Wednesday December 4, 2013 at 6:30pm.

Note: Notice of this public hearing will be published in the Press & Sun Bulletin on Friday November 29, 2013.

PUBLIC COMMENT/COMMUNICATIONS

Donald F. Boss, Richard Jallad, Matthew T. Ryan¹



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¹Motion to suspend the rules to allow Mayor Matthew T. Ryan to speak during public comment.

Moved by Mihalko, seconded by Webb.

Voice vote, none opposed.

RECONSIDERED LEGISLATION

Introductory Ordinance 13-84. Considered in Finance, Chair: Webb

An Ordinance adopting the tax budget for the year 2014

Note: Notice of the public hearing was published in the Press & Sun Bulletin on October 20, 2013. Public hearing held at a Special Business Meeting on October 25, 2013. Legislation adopted at a Special Business Meeting held on October 30, 2013. Two amendments to the budget were vetoed by Mayor Matthew T. Ryan on November 6, 2013.

Motion to override the mayoral veto of Council's elimination of the Tree Trimmer/Arborist position in budget line A7110.51000 (Personal Services) with a salary of \$44,928, plus any related benefits.

Moved by Motsavage, seconded by Matzo.

Motion carried. (Vote 5-2)

Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg

Nays: Rennia, Webb

Motion to override the mayoral veto of Council's elimination of the Front End Loader in the Public Works Capital Improvements Plan, budget line A1990.55000, at a cost of \$125,000.

Moved by Motsavage, seconded by Mihalko

Motion carried. Legislation adopted as Permanent Ordinance 13-82. (Vote 7-0)

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

Nays: None

FIRST READING LEGISLATION

Introductory Ordinance 13-89. Considered in Finance, Chair: Webb

An Ordinance authorizing various transfers in the 2013 Binghamton-Johnson City Joint Sewage Board Budget

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

Motion carried. Legislation adopted as Permanent Ordinance 13-83. (Vote 7-0)

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

Nays: None

Introductory Ordinance 13-90. Considered in Finance, Chair: Webb

An Ordinance authorizing various transfers in the Department of Information Management & Technology 2013 budget

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

Motion carried. Legislation adopted as Permanent Ordinance 13-84. (Vote 7-0)

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

Nays: None

Introductory Ordinance 13-91. Considered in Planning and Community Development, Chair: Webb

An Ordinance authorizing the sale of 32 Evans Street to Kraig M. Brigham for \$425

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

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

Motion carried. Legislation adopted as Permanent Ordinance 13-85. (Vote 7-0)



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

Nays: None

Introductory Ordinance 13-92. Considered in Planning and Community Development, Chair: Webb

An Ordinance authorizing the sale of 37 and 23 Pine Street to Red Barn Technology Group, Inc.

1. Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

2. Motion to declare City Council as lead agency.

Moved by Webb, seconded by Motsavage.

Motion carried. (Vote 7-0)

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

Nays: None

3. Motion to declare the project as an unlisted action.

Moved by Webb, seconded by Berg.

Motion carried. (Vote 7-0)

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

Nays: None

4. Motion to declare this action as a negative declaration.

Moved by Webb, seconded by Motsavage.

Motion carried. (Vote 7-0)

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

Nays: None

5. **Point of Order.** Council President Rennia allowed Council President Pro Tem Berg to assume the Chair, so that she could discuss the legislation.

6. Motion to amend the legislation to remove Section 2, which states "The transfer will be subject to the condition that Red Barn Technology Group, Inc. will not lease or sublet any portion of the Premises without written approval from the Mayor and City Council. This condition shall run with the land."

Moved by Rennia, seconded by Webb.

Motion carried. (Vote 7-0)

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

Nays: None

7. Motion to approve the legislation as amended.

Moved by Webb, seconded by Motsavage.

Motion carried. Legislation adopted as Permanent Ordinance 13-86. (Vote 7-0)

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

Nays: None

8. **Point of Order.** Council President Rennia resumed the Chair.



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Introductory Ordinance 13-93, Considered in Employees, Chair: Berg

An Ordinance authorizing amendments and additions to Article VII Employee Benefits and Article VIII Officers and Employees not covered by Collective Bargaining Agreements

Note: Councilman Matzo requested that his name be added to the sponsor list.

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

Motion carried. Legislation adopted as Permanent Ordinance 13-87. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-89. Considered in Finance, Chair: Webb

A Resolution authorizing the Mayor to execute a no-cost supplemental agreement with the United Way of Broome County to extend the term of performance for the Binghamton Farm Share Around the Corner Pilot Project

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

Motion carried. Legislation adopted as Permanent Resolution 13-89. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-90. Considered in Finance, Chair: Webb

A Resolution authorizing an agreement with Broome County for security services for 2014

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

Motion carried. Legislation adopted as Permanent Resolution 13-90. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-91. Considered in Finance, Chair: Webb

A Resolution approving a Corrective Action Plan in response to the New York State Comptroller's Report on the apparent misappropriation of Parks and Recreation Department Funds

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

Motion carried. Legislation adopted as Permanent Resolution 13-91. (Vote 7-0)

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

Nays: None

Introductory Resolution 13-92. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution authorizing the Mayor to enter into an agreement with the Binghamton Local Development Corporation (BLDC) for the use of FY 39 CDBG funds in an amount not to exceed \$144,000

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

1. Council President Rennia requested permission to abstain from voting upon this legislation, as her business conducts business with the Binghamton Local Development Corporation.
Motion to allow Council President Rennia to abstain.
Moved by Matzo, seconded by Motsavage.
Voice vote, none opposed.
2. Motion to approve legislation.
Moved by Motsavage, seconded by Webb.



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Motion carried. Legislation adopted as Permanent Resolution 13-92. (Vote 6-0-1)

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

Nays: None

Abstain: Rennia

COMMUNICATIONS FROM COUNCIL MEMBERS

Papastrat, Matzo, Motsavage, Mihalko, Webb, Rennia

ADJOURNMENT

Motion to adjourn at 8:00pm.

Moved by Webb, seconded by Papastrat.

Voice vote, none opposed.