



OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Teri Renna, City Council President

Angela Holmes, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT

MEETING MINUTES

DPW Conference Room, 3rd Floor City Hall

Wednesday November 13, 2013

Call to Order. Called to order at 11:07am by Mayor Matthew T. Ryan.

Present: Matthew T. Ryan, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Luke Day, Commissioner of Public Works

Absent: None

Also Present: Merry Harris, Director of Economic Development; Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller

ITEMS CONSIDERED

Sale of 37 Pine Street (Greenman Senior Center). The selection committee reviewed the three sealed bids submitted for the Greenman Senior Center, and recommended that each applicant have the opportunity to speak to City Council and the Board of Estimate and Apportionment at the upcoming City Council Work Session held on November 18, 2013. Presented by Michael Dervay, Purchasing Agent.

Offer to Purchase/Lease 17 Broad Street. Request to purchase or lease space at 17 Broad Street for a new Verizon Wireless communications facility. Submitted by Chad Blackiston, Tectonic Engineering. Item held.

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meetings held on October 30, 2013.

Motion to approve minutes.

Moved by Krey, seconded by Day.

Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

Budget Transfer. Request to transfer \$2,500 from budget line A1420.54430 (Legal Services) to budget line A1420.54105 (Litigation/Arbitration), to cover incoming bills. Submitted by Kenneth J. Frank, Corporation Counsel.

Motion to approve budget transfer.

Moved by Pearsall, seconded by Krey.

Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

Budget Transfer. Request to transfer \$18,000 from budget line A1680.51800 (Temporary Services) to budget line A1680.54610 (Building/Equipment Repair & Maintenance), to replace/repair security doors within City Hall. Submitted by Lori Clift, Finance Data Processing Operations Coordinator.

Motion to approve budget transfer.

Moved by Day, seconded by Krey.



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Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

Budget Modification & Transfer. Request to establish budget line A1680.52200 (Furniture) in the 2013 budget, and to transfer \$12,000 from budget line A1680.51800 (Temporary Services) to budget line A1680.52200 (Furniture) to replace furniture in the Information Management & Technology Department. Submitted by Lori Clift, Finance Data Processing Operations Coordinator.

Motion to approve budget modification and transfer.

Moved by Krey, seconded by Day.

Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

72 Court Street. Offer to Purchase 72 Court Street for \$1, submitted by 33 State Street Associates on August 1, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning and Code Enforcement and the Department of Planning, Housing and Community Development on August 2, 2013. Tom Costello responded on August 2, 2013, stating that he is not in favor of this offer, submitted without a plan for development that addresses the primary use for the proposed purchase and related impact on adjacent parcels. In addition, the proposed purchase price seems unrealistic. Scott Snyder responded on August 7, 2013 stating that he agreed with Tom Costello's recommendations. Tarik Abdelazim responded on August 21, 2013, stating that so long as Building and Engineering concerns are addressed (detailed plan with fire safety issues raised, investigation of right-of-way issues, higher sales price), PHCD has no objections to the sale, as the future use of the lot as a downtown park would still be feasible. Philip T. Krey met with Allan Pope, representing both owners of the two adjoining buildings, and discussed the installation of a fire escape. The Board discussed maintaining the parcel as a separate lot, in case the larger portion of 72 Court Street is developed at a future date, with the added condition that the parcel would be re-conveyed to the City for the same purchase price should development of the larger parcel take place. Kenneth J. Frank met with Scott Snyder, who is not in favor of the plan to sell a portion of the lot with the opportunity for the City to purchase it at a later date. Corporation Counsel contacted the applicant's attorney on September 27, 2013, stating that the City is interested in selling the stairwell to the alley, with the proviso that the City reserves an easement to construct over the area. Corporation Counsel instructed the attorney to ask his client to submit a revised offer if this plan is acceptable. No response received. Item held.

72 Court Street. Offer to Purchase 72 Court Street for \$20,000, submitted by Marchuska Brothers, LLC to the Office of Economic Development on October 28, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing and Community Development on October 30, 2013. Tarik Abdelazim responded on November 5, 2013, recommending an RFP process for this parcel, with a 90-day submission period. PHCD recommends prioritizing redevelopment outcome over bid price, establishing a selection committee with representatives from PHCD, Building Construction, Zoning & Code Enforcement, Economic Development, City Council and/or CAUD and the Planning Commission. In addition, PHCD recommends the submission of a deposit and performance bond, with the provision that if the project is approved but not constructed within one year of approval, the parcel would revert back to the City. Thomas Costello responded on November 5, 2013, supporting PHCD's recommendations. Merry Harris responded on November 5, 2013, agreeing to the RFP process, deposit and security bond, but stating that the RFP written several years ago generated very few responses and no actual proposals. Harris stated that while green space is valued, the City is limited in opportunities for new construction, and that offers should be considered seriously.



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Motion to deny offer to purchase 72 Court Street.

Moved by Frank, seconded by Day.

Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

72 Court Street. Letter of interest submitted by Howard M. Rittberg on behalf of client to Economic Development on October 31, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on November 5, 2013. The Board of Estimate and Apportionment recommended that Angela Holmes contact the applicant, stating that in the absence of an offer to purchase no action will be taken on this matter.

Adjournment. Motion to adjourn at 11:47pm.

Moved by Pearsall, seconded by Day.

Voice vote, none opposed.