



# OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

*Teri Rennia, City Council President*

*Angela Holmes, City Clerk*

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## BOARD OF ESTIMATE AND APPORTIONMENT

### MEETING MINUTES

DPW Conference Room, 3<sup>rd</sup> Floor City Hall

Wednesday January 29, 2014

**Call to Order.** Called to order at 11:33am by Richard C. David, Mayor.

**Present:** Richard C. David, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Gary Holmes, Commissioner of Public Works

**Absent:** None

**Also Present:** Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller

### ITEMS CONSIDERED

**72 Court Street.** Offer to Purchase a portion of 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 & Code Enforcement and the Department of Planning, Housing & 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. Corporation Counsel received a proposed contract from 33 State Street Associates for \$500 on December 19, 2013. Alan Pope, Andrew Urso and Larry Pasquale attended the E&A meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio, and that the agreement should be for a permanent easement. Kenneth J. Frank to confirm language of permanent easement with Alan Pope. Item held.

**Offer to Purchase/Lease 17 Broad Street.** Request to purchase or lease space at 17 Broad Street for a new Verizon Wireless communications tower. Proposal is currently being reviewed by Gary Holmes. Item held.

**Offer to Lease Space at Recreation Park.** Request to lease space at Recreation Park for a new Verizon Wireless communication tower, at a rate of \$18,000 per year. Kenneth J. Frank to review any use restrictions at Recreation Park. Leigh McCullen noted for the record at any development would require Planning Commission approval. The Board agreed to look into the possibility of a tower at Recreation Park, but recommended that Verizon look at other potential



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sites for a tower. Frank spoke with Verizon Wireless, and referred Verizon to the Department of Planning, Housing and Community Development in order to identify other potential tower sites in the City. No further action necessary.

**8 Meadow Street.** Offer to Purchase 8 Meadow Street for \$100, submitted by Tonya Dakari on December 23, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on January 2, 2014. Steve Quinn responded on January 3, 2014, stating that this property is one of several properties that the First Ward Action Council is scheduled to purchase and develop under the City's Restore NY grant application and NYS Tax Credit application. Scott Snyder responded on January 3, 2014, confirming that the property is listed as a Restore NY property. Mayor David will meet with the First Ward Action Council to obtain additional information. Item held.

**Approval of Minutes.** Request to approve the minutes from the Board of Estimate and Apportionment meetings held on January 22, 2014.

Motion to approve minutes.

Moved by Pearsall, seconded by Krey.

**Motion carried. (Vote 5-0)**

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

**Budget Transfer.** Request to amend the Department of Public Works Administration 2014 budget to restore the position of 2<sup>nd</sup> Deputy DPW Commissioner, and to transfer \$52,520 from budget line A1490.5100 (Personal Services— Superintendent of City Streets) to budget line A1490.51000 (Personal Services—2<sup>nd</sup> Deputy DPW Commissioner), in accordance with RL 14-10. Presented by Richard C. David, Mayor.

Motion to approve budget transfer.

Moved by Krey, seconded by Frank.

**Motion carried. (Vote 5-0)**

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

**Adjournment.** Motion to adjourn at 11:42am.

Moved by Pearsall, seconded Krey.

**Voice vote, none opposed.**