



OFFICE OF THE CITY CLERK ■ CITY OF BINGHAMTON

Teri Renna, City Council President

Jeremy Pelletier, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT

MEETING MINUTES

DPW Conference Room, 3rd Floor City Hall

Wednesday November 26, 2014

Call to Order. Called to order at 11:20am by Richard C. David, Mayor.

Board Members Present: Richard C. David, Mayor; Chuck Shager, Comptroller; Gary Holmes, Commissioner of Public Works; Kenneth J. Frank, Corporation Counsel

Board Members Absent: None

Also Present: Tito Martinez, Deputy City Clerk; Jared Kraham, Executive Assistant to the Mayor, Joe Yanuzzi, Water/Sewer Superintendent

ITEMS CONSIDERED

Permanent Easement for Portion of 70-72 Court Street. Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the 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. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank to discuss the details of the permanent easement with Mr. Pope. Item held.

Water Street – Public Right of Way. Offer to purchase Water Street-Public Right of Way (L74 Pg. 356) for \$5,200, submitted by Ellis Brothers and Joseph Inc. on July 14, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement, the Department of Planning, Housing & Community Development, and Economic Development on July 16, 2014. Scott Snyder responded on 7/16/2014 stating that he had no objection to the sale of the property. Bob Murphy responded on October 27, 2014 stating that assuming the OTP meets Scott Snyder's okay and last I heard the neighboring property owners were supportive – I have no objection. Tom Costello responded on 11/10/14 stating that he was in favor of the sale of the property but not the proposed use of the property. Jennie Skeadas-Sherry responded on 11/10/2014 stating that she does not have any problem with the purchase. Kenneth Frank will look into easements and rights of way for adjacent property owners. Kenneth J. Frank to meet with Gary Holmes, Robert Murphy and Jennie Skeadas-Sherry to review maps to ensure that of property owners have access to their buildings.

NEW BUSINESS

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meeting held on November 19, 2014.

Motion to approve minutes from November 19, 2014.

Moved by Ken Frank, seconded by Chuck Shager.

Motion carried. (Vote 4-0)

Ayes: Mayor David, Ken Frank, Chuck Shager, Gary Holmes

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Nays: None

Absent: None

Water Rate Increase

Motion to approve 5% water rate increase for 2015.

Moved by Ken Frank, seconded by Chuck Shager.

Motion carried. (Vote 4-0)

Ayes: Mayor David, Ken Frank, Chuck Shager, Gary Holmes

Nays: None

Absent: None

Budget Transfer. Budget Transfer. Request to transfer \$6,000.00 from budget line CP5650.52600 (Equipment) to budget line CP5650.54202 (Electric).

Motion to approve budget transfer

Moved Ken Frank, seconded by Chuck Shager.

Motion carried. (Vote 4-0)

Ayes: Mayor David, Ken Frank, Chuck Shager, Gary Holmes

Nays: None

Absent: None

Executive Session. Motion to enter into Executive Session at 11:25am to discuss litigation.

Moved by Mayor David, seconded by Ken Frank.

Voice vote, none opposed.

Reconvene. Called to order at 11:30am by Richard C. David, Mayor.

Present: Richard C. David, Mayor; Kenneth J. Frank, Corporation Counsel; Chuck Shager, Comptroller, Gary Holmes, Commissioner of Public Works

Absent: None

Also Present: Tito Martinez, Deputy City Clerk;

Litigation. Review GEICO aso Michael Bonacci v. City of Binghamton. Submitted by Kenneth J. Frank, Corporation Counsel

Motion authorizing Corporation Counsel to settle litigation as discussed in executive session.

Moved by Ken Frank, seconded by Chuck Shager.

Motion carried. (Vote 4-0)

Ayes: Mayor David, Ken Frank, Chuck Shager, Gary Holmes

Nays: None

Absent: None

Adjournment. Motion to adjourn at 11:32am.

Moved by Mayor David, seconded by Chuck Shager.

Voice vote, none opposed.