



OFFICE OF THE CITY CLERK CITY OF BINGHAMTON

William Berg, City Council President

Jeremy Pelletier, City Clerk

**BOARD OF ESTIMATE AND APPORTIONMENT
MEETING MINUTES
DPW Conference Room, 3rd Floor City Hall
Wednesday February 18, 2015**

Call to Order. Called to order at 11:10am by Richard C. David, Mayor

Board Members Present: Chuck Shager, Comptroller; Kenneth J. Frank, Corporation Counsel; Richard C. David, Mayor

Board Members Absent: Gary Holmes, Commissioner of Public Works

Also Present: Jeremy Pelletier, City Clerk; Jared Kraham, Executive Assistant to the Mayor

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. Kenneth J. Frank sent a letter to Mr. Pope requesting a better description of the distances of the proposed easements. No update, waiting on a response from Mr. Pope.

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 has access to their buildings. Letter regarding easements and rights of way were drafted and will be sent to the attorney representing Ellis Brothers and Joseph Inc. Kenneth J. Frank will send a letter to the company's attorney regarding the easements for the adjacent property owners. A letter will also be sent to the property owner of the garage to ensure it is abandoned. No update, waiting on a response from attorney. The clients attorney is working with Corporation Counsel reviewing the scope of the easements.

Offer to Purchase 66 Decatur Street. Offer to Purchase 66 Decatur Street for \$500.00, submitted by John Greene on October 28, 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 October 29, 2014. Scott Snyder responded on October 29, 2014 stating he has no objection to the sale. He suggested that a requirement for this



OFFICE OF THE CITY CLERK CITY OF BINGHAMTON

William Berg, City Council President

Jeremy Pelletier, City Clerk

property would be to remain forever green. Tom Costello responded on October 29, 2014 that he supports the sale of the property and agreed with Scott that it should remain forever green. The Board of E&A decided to invite Jennie Skeadas-Sherry to the next meeting to provide a recommendation on the sale of this property. Jeremy Pelletier will send letters to the adjoining property owner asking if he would be interested in submitting an offer to purchase the property. The adjoining property owners will have until February 7th to submit an offer to purchase.

Motion to approve the sale of 66 Decatur Street to John Greene for \$500

Moved by Frank, seconded by Shager

Motion carried. (Vote 3-0-1)

Ayes: Shager, Frank, David

Nays: None

Absent: Holmes

Donation of 5 Williams Place. Americo DiCamillo Jr. submitted a letter expressing a desire to donate 5 Williams Place to the City of Binghamton on November 14 and December 18, 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 November 14 and December 18, 2014. Tom Costello responded on December 18, 2014 stating our knowledge of the property is based on a case investigation during which the current property owner was cited for deficiencies in the accessory structure (barn/shed) which is located on the referenced property. The current owner inherited the property and would like to divest by gifting the property to the City. In the event that the City took control of the property, it would probably be necessary to demolish or repair the structure. The estimated cost of that work has not been determined. The parcel is located on a street that ends in a cul-de-sac. It is conceivable that a neighboring property might want to acquire the property, if the structure were in serviceable condition or if it were removed. Tom Costello further stated on December 18, 2014 the current property owner was cited for code deficiencies related to the existing auxiliary structure, which is located on the referenced parcel. The structure must be repaired or removed to achieve compliance with Property Maintenance code requirements. The current owner inherited the property and would like to divest. The parcel is located at the eastern end of the city, within a few hundred feet of the Town of Conklin municipal boundary. It is on street that ends in a cul-de-sac and there are parcels located on either side. It is conceivable that either one of those property owners might want to acquire the parcel, after the code issue has been resolved. Perhaps it would be prudent to determine the fair market value of the property, with or without the structure. The estimated cost of demolition is unknown; however, it should be relatively low, assuming there was no significant issue with asbestos. Scott Snyder responded on December 19, 2014 stated that he was not sure if the City would have any use for the property in its current condition. Reach out to see if individual would be willing to contribute \$5,000 for demolition cost. Chuck Shager visited the property on 1/19 and said that the one at Williams Pl is much larger than what the picture shows. This place looks like it will cost a large amount of money to tear down, and probably is not a good site for a fire training program. On the bright side it is located in a very nice neighborhood and I would think either side would be interested in it. Not positive it could be sold as a lot for a new home. Gary Holmes will go and review the property and report back to the Board of E&A. Jeremy Pelletier will send letters to the property owners on either side of 5 Williams Place to see if they are willing to share the cost of demolishing the structure on 5 Williams Place. Jeremy Pelletier will look to see if there are any back taxes owed for the property. Richard Perkins will work with Code to see if there are any underground storage tanks.

NEW BUSINESS

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meeting held on January 28, 2015.

Motion to approve minutes from January 28, 2015.

City Hall 38 Hawley Street Binghamton, NY 13901 www.cityofbinghamton.com

Phone: (607) 722-7005 Fax: (607) 722-7155



OFFICE OF THE CITY CLERK CITY OF BINGHAMTON

William Berg, City Council President

Jeremy Pelletier, City Clerk

Moved by Shager, seconded by Frank.

Motion carried. (Vote 3-0-1)

Ayes: Shager, Frank, David

Nays: None

Absent: Holmes

Executive Session. Motion to enter into executive session to discuss settlement at 11:15am

Moved by Frank, seconded by Shager.

Voice vote, none opposed.

Reconvene. Called to order at 11:17am by Richard C. David, Mayor

Board Members Present: Chuck Shager, Comptroller; Kenneth J. Frank, Corporation Counsel; Richard C. David, Mayor

Board Members Absent: Gary Holmes, Commissioner of Public Works

Also Present: Jeremy Pelletier, City Clerk; Jared Kraham, Executive Assistant to the Mayor

Motion to authorize Corporation Counsel to proceed with settlement as discussed in executive session.

Moved by Shager, seconded by Frank

Motion carried. (Vote 3-0-1)

Ayes: Shager, Frank, David

Nays: None

Absent: Holmes

Bond Ordinance. Approval of the issuance of up to \$14,463,150 in serial bonds to finance 2015 capital projects, as outlined in RL 15-15, entitled "An Ordinance authorizing the issuance of \$14,463,150 in serial bonds to finance 2015 capital projects", submitted to City Council on January 29, 2015.

Motion to approve the issuance of up to \$14,463,150 in serial bonds to finance 2015 capital projects, as outlined in RL15-15.

Moved by Shager, seconded by Frank.

Motion carried. (Vote 3-0-1)

Ayes: Shager, Frank, David

Nays: None

Absent: Holmes

Adjournment. Motion to adjourn at 11:18am.

Moved by Frank, seconded by Shager.

Voice vote, none opposed.