



Department of Corporation Counsel

Mayor, Richard C. David

Kenneth J. Frank, Corporation Counsel

Brian M. Seachrist, First Assistant Corporation Counsel

Sharon A. Sorkin, Assistant Corporation Counsel

June 6, 2017

Gloria Crowder
30 Schiller St.
Binghamton, NY

Re: Written Plan

Dear Ms. Crowder:

Thank you for attending a joint meeting on Tuesday, June 6, 2017, with City Officials from the Binghamton Police Department, Zoning Office, Fire Marshal, and Office of Corporation Counsel. The purpose of this meeting was your presentation of a written plan detailing the steps you intend to take with regards to abating nuisance activity at your property: Victoria's Café, aka the first floor of 153 Susquehanna Street. You explained that you are not currently making use of the property as a restaurant, and have not done so since at least October 2016. You explained that at time tenants and guests have violated the terms of approved use, including by serving alcohol, without your knowledge.

At this meeting, you presented a *verbal* plan to abate the nuisance activity, including that:

1. You will request and obtain police reports for your property on a regular basis in order to ensure compliance and safety.
2. You will cease all operation and use of the premises, as a restaurant or for any other purpose (commercial or otherwise), until the requisite inspections are completed and compliance certified by the Fire Marshal, Zoning Officer, and Office of Code Enforcement.
3. You will not allow any operation or use of the premises, unless you obtain new approval for use as a restaurant or change in use approval of that property through the Planning Department, Planning Commission, or Zoning Board of Appeals, as applicable.
4. You agree that any future tenant must obtain approvals for use through the Planning Department, Planning Commission, or Zoning Board of Appeals, as applicable, prior to any lease execution or operation.
5. You understand consumption or service of alcohol is prohibited on the premises, by yourself as owner, as well as any tenant-operator.
6. You understand that use of the premises after midnight, by yourself as owner, as well as any tenant-operator is prohibited.



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7. You agree to sell the property or to make good faith efforts to bring the property into compliance with Binghamton City Code of Ordinances, including as to the conditions associated with previous approvals, including parking and striping requirements, approved use requirements, hours of operations, among other things.
8. You agree that with any future tenant, visitor, or guest you shall exercise your right, as an owner-landlord, to enter the property on reasonable notice, on a regular basis and as necessary, in order to ensure the commercial tenant's compliance with the lease, terms of operation, and applicable law.

Should you find that the above accurately reflects your presentation of a verbal plan, please affirm that by signing as designated below, and returning this form to us within five business days of receipt.

Should, however, you wish to submit a different or modified written plan, please do so within five business days of receipt of this correspondence. If the City does not receive either the below affirmation or modified written plan within five business days of your receipt of this Letter, the City shall deem your failure to provide such a written plan as constructive refusal to submit such a plan, and will pursue its legal remedies to lockdown the property accordingly.



Sharon A. Sorkin, Esq.
Assistant Corporation Counsel

I, Gloria Crowder, agree that my verbal plan to abate the nuisance activity at my property, 153 Susquehanna St., presented on June 6, 2017, is accurately codified above and I declare that I shall use my best efforts to comply with said plan.

Date: 6/6/17



Gloria Crowder