



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Renna, City Council President  
Angela Holmes, City Clerk

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**MINUTES**  
**City Council Work Session**  
**Mayor's Conference Room, 38 Hawley Street, Binghamton, N.Y.**  
**Monday March 17, 2014**

**Called to Order.** Called to order by Council President Renna at 4:06pm.

**Council Members Present:** Jerry Motsavage, Joseph Mihalko, Teri Renna, Lea Webb, Chris Papastrat, John Matzo, Bill Berg

**Council Members Absent:** None

**Also in attendance:** Kenneth J. Frank, Corporation Counsel (arrived at 5:40pm); Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk (arrived at 5:03pm)

## ITEMS CONSIDERED

**Discussion.** Review of the New York State Department of Transportation (NYS DOT) 2012 Single Audit and the City of Binghamton 2012 Annual Financial Report.

Presented by: Charles Pearsall, Comptroller; Duane Shoen, Ciaschi, Dietershagen, Little, Mickelson and Company, LLP

**Discussion.** Update on internal audits.

Presented by: Nicholas Angeline, Staff Accountant; Lori Clift, Data Processing Operations Coordinator; Gerald Kennicutt, Deputy Comptroller; Charles Pearsall, Comptroller

**Discussion.** Review of 2013 4<sup>th</sup> quarter financial statements.

Presented by: Charles Pearsall, Comptroller

**RL 14-30.** A Resolution authorizing various amendments to the 2014 tax roll, resulting from waived garbage violations.

Presented by: Council President Renna

Request for Legislation supported by: Berg, Matzo, Motsavage, Webb, Renna, Mihalko, Papastrat

Sent to Corporation Counsel to be drafted as legislation.

**Discussion.** Drafting a proclamation in support of the Crime Victims Assistance Center.

Presented by: Council President Renna

**Discussion.** Drafting a letter in support of the Volunteers of America Residential Reentry Center.

Presented by: Councilman Motsavage

**Discussion.** Setting a joint session with the Village of Johnson City to discuss various matters related to the Binghamton-Johnson City Joint Sewage Treatment Plant.

Presented by: Angela Holmes, City Clerk

**Discussion.** Review committee reports and pending legislation.

Presented by: Council President Renna



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**RL 14-31.** An Ordinance authorizing a transfer of funds from various departments to A1440.54410 (Professional Services) to fund the Binghamton Parking Study.

Presented by: Richard C. David, Mayor; Gary Holmes, Commissioner of Public Works

*Note: Item held until the Work Session on April 7, 2014.*

**Discussion.** Drafting and Intermunicipal agreement between Broome County and the City of Binghamton for the Binghamton Parking Study.

Presented by: Richard C. David, Mayor; Gary Holmes, Commissioner of Public Works

**RL 14-40.** An Ordinance amending Chapter 410 of the Code of the City of Binghamton, regarding the sale of tobacco products near schools.

Presented by: Sharon Fischer, Tobacco-Free Broome & Tioga; Leigh McCullen, Senior Planner; Lisa Weston-Bialy, Tobacco-Free Broome & Tioga

Request for Legislation supported by: Webb, Mihalko, Berg, Motsavage, Matzo, Rennia, Papastrat

Sent to Corporation Counsel to be drafted as legislation.

**Discussion.** Planning Commission recommendations regarding proposed billboards at 117 N. Griswold Street.

Presented by: Mark Bowers, Planning Commission Member; Hugh Leonard, Leonard and Cummings, LLP; Leigh McCullen, Senior Planner; Michelle O'Loughlin, Planning Commission Member; Sam Salamida, Park Outdoor Advertising; Paul Simonet, Park Outdoor Advertising

**Discussion.** City Council set a Planning Committee meeting for Wednesday March 19, 2014 at 7:30pm, immediately following the regularly scheduled Business Meeting, in order to review proposed billboards at 117 N. Griswold Street.

Presented by: Councilwoman Webb

**Discussion.** Update from the Community Development Advisory Committee (CDAC).

Presented by: Marty Doorey, CDAC Chair

**RL 14-36.** An Ordinance approving a reassignment of CDBG funds for the Broome County Urban League CDBG FY 38 Afterschool/Summer Enrichment Program.

Presented by: Jennifer Lesko, Broome County Urban League; Jennifer Taylor, Acting Director of Planning, Housing and Community Development

Request for Legislation supported by: Berg, Matzo, Motsavage, Webb, Rennia, Mihalko, Papastrat

Sent to Corporation Counsel to be drafted as legislation.

**RL 14-37.** An Ordinance approving a reassignment of CDBG funds for Mothers and Babies Perinatal Network CDBG FY 38 PAL Resource Center Program.

Presented by: Sharon Chesna, Mothers and Babies Perinatal Network; Jennifer Taylor, Acting Director of Planning, Housing and Community Development

Request for Legislation supported by: Berg, Matzo, Motsavage, Webb, Mihalko, Papastrat

Sent to Corporation Counsel to be drafted as legislation.

**Point of Order.** Council President Rennia noted for the record that she did not sign RL 14-37, and she would abstain from voting upon the legislation, as a family member is employed by Mothers and Babies Perinatal Network.



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**Discussion.** Drug enforcement in the City of Binghamton.

Presented by: Gerald Mollen, Broome County District Attorney; Joseph T. Zikuski, Police Chief

**Executive Session.** Motion to enter into Executive Session at 7:15pm to discuss information which will imperil the public safety if disclosed, and information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.

Moved by Motsavage, seconded by Berg.

**Voice vote, none opposed.**

**Reconvene.** Called to order by Council President Rennia at 7:45pm.

**Council Members Present:** Jerry Motsavage, Joseph Mihalko, Teri Rennia, Lea Webb, Chris Papastrat, John Matzo, Bill Berg

**Council Members Absent:** None

**Also in attendance:** Kenneth J. Frank, Corporation Counsel; Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk

**RL 14-32.** An Ordinance authorizing the transfer of funds from Youth Bureau Director salary and benefits lines to fund benefits for two police officers effective September 1, 2014.

Presented by: Richard C. David, Mayor; Dr. Alfred Penna, Former Binghamton High School Principal; Joseph T. Zikuski, Police Chief

*Note: Item held until the Work Session on April 7, 2014.*

**RL 14-33.** An Ordinance amending the 2014 Police Department budget adding two police officer positions, funding effective September 1, 2014 and increasing estimated revenue to fund same.

Presented by: Richard C. David, Mayor; Dr. Alfred Penna, Former Binghamton High School Principal; Joseph T. Zikuski, Police Chief

*Note: Item held until the Work Session on April 7, 2014.*

**Executive Session.** Motion to enter into Executive Session at 8:28pm to discuss specific personnel matters.

Moved by Webb, seconded by Berg.

**Voice vote, none opposed.**

**Reconvene.** Called to order by Council President Rennia at 8:49pm.

**Council Members Present:** Jerry Motsavage, Joseph Mihalko, Teri Rennia, Lea Webb, Chris Papastrat, John Matzo, Bill Berg

**Council Members Absent:** None

**Also in attendance:** Kenneth J. Frank, Corporation Counsel; Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk

**Discussion.** Changes to the Chris Thater Memorial Races for 2014.



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Presented by: Gary Holmes, Commissioner of Public Works; Christopher Marion, Broome County STOP-DWI Coordinator; Philip T. Krey, City Engineer

**Recess.** Motion to recess at 9:18pm for ten (10) minutes.

Moved by Matzo, seconded by Berg.

**Voice vote, none opposed.**

**Reconvene.** Called to order by Council President Rennia at 9:30pm.

**Council Members Present:** Jerry Motsavage, Joseph Mihalko, Teri Rennia, Lea Webb, Chris Papastrat, John Matzo, Bill Berg

**Council Members Absent:** None

**Also in attendance:** Kenneth J. Frank, Corporation Counsel; Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk

**Discussion.** Amending the municipal boundary at 49 Riverside Drive to be coterminous with the property line.  
Presented by: Kenneth J. Frank, Corporation Counsel

**RL 14-34.** An Ordinance authorizing a revision to the 2014 Capital Budget related to 2014 bond ordinance.  
Presented by: Richard C. David, Mayor; Gary Holmes, Commissioner of Public Works; Charles Pearsall, Comptroller  
*Note: Item held until the Work Session on April 7, 2014.*

**RL 14-35.** An Ordinance authorizing the issuance of \$19,495,500 in serial bonds to finance 2014 capital projects.  
Presented by: Richard C. David, Mayor; Gary Holmes, Commissioner of Public Works; Charles Pearsall, Comptroller  
*Note: Item held until the Work Session on April 7, 2014.*

**Discussion.** Review of the proposed 2014 mill and pave plan.  
Presented by: Richard C. David, Mayor; Gary Holmes, Commissioner of Public Works; Philip T. Krey, City Engineer; Charles Pearsall, Comptroller  
*Note: Item to be revisited at the Work Session on April 7, 2014.*

**RL 14-38.** A Resolution authorizing an agreement with the New York State Department of Transportation for Use and Occupancy Permit Number 90613.

Presented by: Philip T. Krey, City Engineer

Request for Legislation supported by: Webb, Mihalko, Berg, Motsavage, Matzo, Rennia, Papastrat  
Sent to Corporation Counsel to be drafted as legislation.

**RL 14-39.** A Resolution authorizing an agreement with the Town of Vestal for the installation of Two River Greenway signage.

Presented by: Philip T. Krey, City Engineer

Request for Legislation supported by: Motsavage, Mihalko, Berg, Webb, Matzo, Rennia, Papastrat  
Sent to Corporation Counsel to be drafted as legislation.



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**RL 14-41.** An Ordinance authorizing the Mayor to enter into a professional services contract with Delta Engineers for design of the Ross Park Amphitheatre.

Presented by: Philip T. Krey, City Engineer

Request for Legislation supported by: Berg, Matzo, Motsavage, Webb, Rennia, Mihalko, Papastrat

Sent to Corporation Counsel to be drafted as legislation.

*Note: Item sent to the Business Meeting held on March 19, 2014.*

**RL 14-22.** An Ordinance amending the Department of Public Works 2014 budget, defunding the position of Street Maintenance Supervisor and funding the position of Assistant Street Maintenance Supervisor.

Presented by: Gary Holmes, Commissioner of Public Works

Request for Legislation supported by: Berg, Webb, Papastrat, Matzo, Rennia, Mihalko, Motsavage.

Sent to Corporation Counsel to be drafted as legislation.

**Discussion.** Obtaining assessment of the Binghamton Johnson City Joint Sewage Treatment Plant facilities from private entities.

Presented by: Councilman Motsavage; Gary Holmes, Commissioner of Public Works

**Adjournment.** Motion to adjourn at 11:06pm.

Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.