



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President
 Angela Holmes, City Clerk

CITY COUNCIL WORK SESSION AGENDA
City Council Work Room, 38 Hawley Street, Binghamton
Tuesday September 3, 2013

The Work Session begins at 6:00pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
6:00pm	-----	-----	Discussion: Energov Presentation	-----	Tarik Abdelazim
6:30pm	Employees	Berg	RL 13-105: Establishing Department of Information Management & Technology and Creating Position of Chief Information Officer	1	Lori Clift, Angela Holmes, Kyle Seeley
	Employees	Berg	RL 13-107: Creating Position of Hardware/Software Technician	2	
7:00pm	MPA	Motsavage	RL 13-147: Noise Variance for Remlik's Grille and Oyster Bar	14-18	Sylvia Vestey, Ed Wesoloski
7:15pm	-----	-----	Discussion: Amending Outdoor Café Operating Season	-----	Sean Massey
7:30pm	Planning	Webb	RL 13-144: Adding "Clinic, Medical or Treatment Center" as Permitted Use in I-1 Urban Business Park District	4-6	Leigh McCullen
7:45pm	-----	-----	Discussion: Food Trucks	-----	Omar Sanders, Jeremy Pelletier
8:15pm	MPA	Motsavage	RL 13-146: Amending § 400-21 Regarding Traffic Board Membership	12-13	Kyle Seeley
8:30pm	Finance	Webb	RL 13-143: Transfer in 2013 Corporation Counsel Budget	3	Kenneth J. Frank
	Finance	Webb	RL 13-145: Professional Services Agreement with Hulbert Engineering for Phase II Property Boundary Surveys Discussion: Greenman Senior Center	7-11 -----	
9:00pm	-----	-----	Discussion: Proper Disposal of Bed Bug Infested Garbage Items	-----	Councilman Mihalko
9:15pm	MPA	Motsavage	RL 13-148: Supporting Broome County Land Bank Corporation's Application to Community Revitalization Initiative	19-21	Councilman Papastrat
9:30pm	-----	-----	Discussion: Review Pending Legislation and Committee Reports	-----	Council President Rennia



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Teri Rennia, City Council President
Angela Holmes, City Clerk

COMMITTEE REPORTS

City Council Municipal & Public Affairs Committee: Motsavage (Chair), Webb, Matzo

Reviewing the City of Binghamton's noise ordinance.

City Council Employees Committee: Berg (Chair), Webb, Papastrat

Review of residency requirements for City of Binghamton employees.



Legislative Branch

RL Number:
13-105
Date Submitted:
8/13/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Information Management Project Team

Title/Department: A. Holmes, L. Clift, W. Meredith, T. Costello, C. Quidort, A. Block

Contact Information: _____

RL Information

Proposed Title: An ordinance establishing the Department of Information Management & Technology and establishing position of Chief Information Officer within the department.

Suggested Content: Establish Department of Information Management & Technology and establish position of Chief Information Officer at an annual salary of \$80,000 - funded from July 22, 2013 to December 31, 2013 at a cost of \$33,846.15. ^{up to} Transfer \$33,076.92 from A1680.51800 and \$769.23 from A9089.51000 to A1680.51000 - Personal Services - Chief Information Officer

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY						
Mayor:	<u>Matthew R. Ryan</u>					
Comptroller:	<u>[Signature]</u>					
Corporation Counsel:	<u>[Signature]</u>					
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input checked="" type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>	



Legislative Branch

RL Number:
13-107
Date Submitted:
6/13/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Information Management Project Team
Title/Department: A. Holmes, L. Cliff, W. Meredith, T. Costello, C. Quidort, A. Block
Contact Information: _____

RL Information

Proposed Title: An ordinance establishing the position of Hardware / Software Technician
within the department of Information Management & Technology.

Suggested Content: Establish position of Hardware / Software Technician at an annual salary of
\$40,000 - funded from July 22, 2013 to December 31, 2013 at a cost of up to 16,923.08.
Transfer \$16,923.08 from A1680.51800 to A1680.51000 - Personal Services - Hardware/Software
Technician

Additional Information

Does this RL concern grant funding? Yes No
If 'Yes', is the required RL Grant Worksheet attached? Yes No
Is additional information related to the RL attached? Yes No
Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

	OFFICE USE ONLY					
Mayor:	<u>Matthew R. Ryan</u>					
Comptroller:	<u>[Signature]</u>					
Corporation Counsel:	<u>[Signature]</u>					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input checked="" type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>	



Legislative Branch

RL Number:
13-143
Date Submitted:
8/20/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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RECEIVED

Applicant Information

Request submitted by: Kenneth Frank AUG 20 2013
Title/Department: Corporation Counsel OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON
Contact Information: 772-7013

RL Information

Proposed Title: Ordinance Amending the 2013 Law Department Budget to Transfer \$20,000.00
from M1910.54900 (Incurred Loss) to M1910.54430 (Legal Services)

Suggested Content: _____

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:					
Comptroller:					
Corporation Counsel:					
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Legislative Branch

RL Number:
13-144
Date Submitted:
8/28/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Leigh McCullen

Title/Department: Senior Planner / PHCD

Contact Information: 772-7028, lamccullen@cityofbinghamton.com

RL Information

Proposed Title: CLINIC, MEDICAL, DIAGNOSTIC OR TREATMENT CENTER in I-1 District

Suggested Content: Add CLINIC, MEDICAL, DIAGNOSTIC OR TREATMENT CENTER as a use permitted with a Special Use Permit / Series A Site Plan in the I-1 Urban Business Park District

Additional Information

Does this RL concern grant funding? Yes No

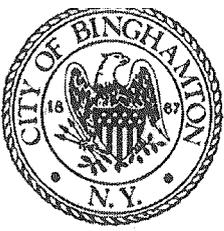
If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): Ord. No. 06-31

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input checked="" type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan
Tarik Abdelazim, Director

TO: CITY COUNCIL

FROM: PLANNING, HOUSING AND COMMUNITY DEVELOPMENT

RE: CLINIC, MEDICAL, DIAGNOSTIC OR TREATMENT CENTERS IN THE I-1 DISTRICT

The I-1 District currently allows health care related uses including health related nursing facilities, skilled nursing facilities, and professional health related offices (private practice doctors' offices). However, Clinic, Medical, Diagnostic or Treatment Centers, defined below, are not permitted in the I-1 District. To be consistent with other uses in the District, this use should be permitted in the I-1 with Planning Commission approval. A draft update to the Zoning Code adding this use in the I-1 District is below.

The Charles Street Business Park is the only area of the City zoned I-1. This change is being proposed, in cooperation with the IDA, to facilitate the redevelopment of the Business Park.

CLINIC, MEDICAL, DIAGNOSTIC OR TREATMENT CENTER -- A building or portion thereof, the principal use of which is for offices of one or more practitioners and related support staff for the provision of medical, dental and/or optical services. This definition is meant to encompass a more intensive multi service type of medical office in comparison to individual or group private practice of medicine. Services may include but are not limited to out-of-hospital examinations, on-site testing, treatment, including surgery, emergency room services, sophisticated testing equipment and twenty-four-hour accommodations for patients and their families. For the purpose of this chapter, this definition is also meant to include health maintenance organizations (HMOs) and medical surgery centers. (See also "professional office, health-related.")

Chapter 410, Zoning

§ 410-32. Schedule II: Land Uses in Commercial and Industrial Zoning Districts.

G. I-1 Urban Business Park District.

(1) Permitted by right, subject to Article IX:

Essential services

Health/sport club, subject to 410-34S

Monument manufacture and sales, subject to 410-34V

Multi-unit dwelling: new construction or conversion of existing building into three or four units

Parcel delivery, subject to 410-29DD

Parking, ancillary, subject to 410-29EE

Office, business

Office, professional

Office, professional health-related

Photocopy and related printing service

Restaurant, full service

Restaurant, limited service, cafe
Single-unit residences
Telephone switching facility
Two-unit residences
Wholesale trade and storage, subject to 410-29GG
(2) Permitted with Planning Commission approval pursuant to Article VIII (special use permit and Series A site plan):
Clinic, Medical, Diagnostic or Treatment Center
Convalescent/Nursing home: health-related nursing facility
Convalescent/Nursing home: skilled nursing facility
Hotel and motel, subject to 410-41A(11)
Industrial, light
Industrial, medium
Industrial park
Industrial, research and development
Laboratory, research and testing
Multi-unit dwelling: new construction or conversion of existing building into five or more units
Parking area, public, subject to 410-41A(15)
School, business/commercial/trade/vocational
Schools, colleges, universities, and professional
Telecommunications facility, subject to 410-41A(21)



Legislative Branch

RL Number: <u>13-145</u>
Date Submitted: <u>8/29/13</u>

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Philip T. Krey, P.E. PK
 Title/Department: City Engineer/Engineering
 Contact Information: Phone: 772-7007 E-mail: ptkrey@cityofbinghamton.com

RL Information

Proposed Title: Professional Services Contract (Phase II) with Hulbert Engineering and Land Surveying for property boundary surveys of 10 flood-damaged Buildings.

Suggested Content: The professional services contract for survey services will be for an amount not to exceed \$8,077. The cost for this contract is 100% FEMA reimbursable. Funding is available in budget line H3650.533508.10913.

Additional Information

- Does this RL concern grant funding? Yes No
- If 'Yes', is the required RL Grant Worksheet attached? Yes No
- Is additional information related to the RL attached? Yes No
- Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>

AGREEMENT BETWEEN OWNER AND LAND SURVEYOR FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT effective as of **August 28, 2013** between **City of Binghamton** ("Owner") and **Hulbert Engineering and Land Surveying, DPC** ("Surveyor")

Land Surveyor agrees to provide Professional Services described below to Owner for **Ten (10) properties within the City of Binghamton, Broome County, New York State** ("Project")

LOT SURVEY

- Review existing title data to determine history of boundaries.
- Do lot survey to locate existing boundary evidence.
- Do computations and plotting to determine boundary resolution for the parcel.
- Prepare a lot survey map showing the above items.
- Prepare a surveyor's description of each parcel.
- Prepare two (2) copies of the lot survey map, and three (3) copies of the surveyor's descriptions of each site.
- Transmit above to the Client as required for distribution, with the Invoice for Services Rendered.

REMARKS:

- If available, the Client is to furnish an up-to-date Abstract of Title and/or Title Report including recent conveyances or acquisitions and agreements along with existing survey maps.

Owner and Surveyor further agree as follows:

1.01 Basic Agreement

- A. Surveyor shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Surveyor for such Services as set forth in Paragraph 9.01.

2.01 Payment Procedures

- A. Preparation of Invoices. Surveyor will prepare an invoice in accordance with Surveyor's standard invoicing practices and submit the invoice to Owner.
- B. Payment of Invoices. Invoices are due and payable upon delivery of work. Surveyor may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Surveyor has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

3.01 Additional Services

- A. If authorized by Owner, or if required because of changes in the Project, Surveyor shall furnish services in addition to those set forth above.
- B. Owner shall pay Surveyor for such additional services as follows: For additional services of Surveyor's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Surveyor's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Surveyor's consultants' charges, if any.

4.01 Termination

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

b. By Surveyor:

1) upon seven days written notice if Surveyor believes that Surveyor is being requested by Owner to furnish or perform services contrary to Surveyors responsibilities as a licensed professional; or

2) upon seven days written notice if the Surveyors services for the Project are delayed or suspended for more than 90 days for reasons beyond Surveyors control.

3) Surveyor shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Surveyor.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Surveyor to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

5.01 Controlling Law

A. This Agreement is to be governed by the law of the state in which the Project is located.

6.01 Successors, Assigns, and Beneficiaries

A. Owner and Surveyor each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Surveyor (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Surveyor) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Surveyor may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

7.01 General Considerations

- A. The standard of care for all professional Surveying and related services performed or furnished by Surveyor under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Surveyor makes no warranties, express or implied, under this Agreement or otherwise, in connection with Surveyors services. Surveyor and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.
- B. Surveyor shall not at any time supervise, direct, or have control over any contractors work, nor shall Surveyor have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractors work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractors work.
- C. Surveyor neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.
- D. Surveyor shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractors agents or employees or any other persons (except Surveyors own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Surveyor.
- E. All documents prepared or furnished by Surveyor are instruments of service, and Surveyor retains ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.
- F. To the fullest extent permitted by law, Owner and Surveyor (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Surveyor's total liability to Owner under this Agreement shall be limited to the total amount of compensation received by Surveyor.
- G. The parties acknowledge that Surveyors scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Surveyor or any other party encounters a Hazardous Environmental Condition, Surveyor may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

8.01 Total Agreement

- A. This Agreement (consisting of pages 1 to 4 inclusive together with any expressly incorporated appendix), constitutes the entire agreement between Owner and Surveyor and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

9.01 Payment (Lump Sum)

Using the procedures set forth in paragraph 2.01, and additional procedures outlined below, Owner shall pay Land Surveyor as follows:

Field Breakdown:

Boundary Locations	2.4 hr	\$384.00
Research	.5 hr	\$23.00
Deed Copies	3.0	\$5.70

Office Breakdown:

Computations	2.5 hr	\$150.00
Mapping	4.0 hr	\$184.00
Description	.5 hr	\$23.00
QA/QC	.5 hr	\$35.00
Prints	2.0	\$3.00

Ten (10) Lot Surveys

\$807.70 per Lot Survey (Total \$8,077.00)

Lots include: 4 Duke Street, 4 Avon Road, 5 Vermont Avenue, 7 Vermont, 8 Vermont, 91 Charles Place, 96 Charles Place, 12 Lourdes Road, 14 Lourdes Road and 16 Lourdes Road.

Additional Payment Procedures: Payment is due within 15 days of deliverables.

The rates used to compute the survey portion of this fee are based on the State of New York Department of Labor Prevailing Rate Schedules, including Supplemental Benefits for survey work in Broome County.

Work that is deemed by Hulbert Engineering and Land Surveying to be beyond or in addition to the Scope of Services will be brought to Owner's attention. Upon Owner's approval, this additional work will proceed per agreement.

Owner will be responsible to provide, if available, criteria, documentation, title reports including recent conveyances or acquisitions and agreements along with abstract of title, previous surveys, and requirements necessary to properly proceed with the assignment for these services.

The target date for substantial completion of all work under this contract is to be 2 months from the receipt of written notice to proceed. Weather conditions adverse to the making of field surveys and extraordinary circumstances in research and analysis will be considered as excusable cause for delay and will be justifications for equitable adjustment of time allowed.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

<p>OWNER: City of Binghamton</p> <p>Signature _____</p> <p>By: _____</p> <p>Title: _____</p> <p>Date Signed: _____</p> <p>Address for giving notices:</p> <p>Mr. Philip T. Krey, PE Binghamton City Hall 38 Hawley Street Binghamton, New York 13901 P: 772-7007</p>	<p>SURVEYOR: Hulbert Engineering and Land Surveying, DPC</p> <p>Signature _____</p> <p>By: Raymond L. Hulbert, LS</p> <p>Title: Vice President</p> <p>Date Signed: _____</p> <p>Address for giving notices:</p> <p>Hulbert Engineering and Land Surveying, DPC Centre Plaza, 53 Chenango Street, 8th Floor Binghamton, New York 13901 P: (607) 723-0799 rlh@hulberteng-ls.com</p>
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Legislative Branch

RL Number:

13-146

Date Submitted:

8/29/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Kyle Seeley

Title/Department: Exec. Assistant/Office of the Mayor

Contact Information: krseeley@cityofbinghamton.com

RL Information

Proposed Title: Amending §400-20 of the City Code

Suggested Content: Changing city code to reflect that the Traffic Board shall consist of a member of the Public Works Department, instead of the Commissioner of Public Works

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): § 400-20

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input checked="" type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

Currently:

§ 400-20. Composition; Chairperson. [Amended 8-15-1983 by Ord. No. 133-83]

The Traffic Board shall consist of the Deputy Commissioner of Public Safety, who shall be the Chairperson of the Board; the officer in charge of the Traffic Unit of the Bureau of Police, who shall be appointed by the Chief of Police; the Commissioner of Public Works; a member of the Engineering Department and a member of the City Council, to be appointed by the President of the Council.

Purposed Change:

§ 400-20. Composition; Chairperson. [Amended 8-15-1983 by Ord. No. 133-83]

The Traffic Board shall consist of the Deputy Commissioner of Public Safety, who shall be the Chairperson of the Board; the officer in charge of the Traffic Unit of the Bureau of Police, who shall be appointed by the Chief of Police; ~~the Commissioner of Public Works~~ a member of the ~~Public Works Department~~; a member of the Engineering Department and a member of the City Council, to be appointed by the President of the Council.



Legislative Branch

RL Number:
13-147
Date Submitted:
8/29/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Angela Holmes

Title/Department: City Clerk

Contact Information: (607) 772-7005, clerk@cityofbinghamton.com

RL Information

Proposed Title: A Resolution authorizing a noise variance for Remlik's Grille & Oyster Bar

Suggested Content: First three dates approved by City Clerk. Noise permit application is attached.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:	_____				
Comptroller:	_____				
Corporation Counsel:	_____				
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input checked="" type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



Office of the City Clerk

Date Filed: 8-29-13
License No: 13-013

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005 RECEIVED

NOISE PERMIT APPLICATION

AUG 29 2013

Event Information

OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON

Name of Event: Live Music in the Summer months
Date(s)/Time(s) of Event: Friday + Saturday 7-10pm June-September
Location of Event: 31 Lewis St. Binghamton
Sponsoring Organization: Remliks Restaurant

Contact Information

Name of Applicant: Remliks / Sylvia Vestey or Ed Wesolowski
Address: 31 Lewis St. Binghamton 13901
Phone (Home/Work/Cell): 607 217 4513

Additional Information

Is Applicant the owner of the property where the event will be located? Yes No
(If the answer to the above question is 'No', the owner of the property must provide written consent.)

Provide a description of the plans, specifications and any other information pertinent to the source of sound and vibration.

The live music is a 1 or 2 person band that plays music on our open air deck.

Provide a description of the sound, including estimated sound levels at the source property and across any real property boundaries, along with the date(s) and time(s) during the day that the sound will be generated.

Live music on deck on Friday + Saturday nights (weather permitting) during the summer months from 7-10 pm. Sound level is reasonable.



Office of the City Clerk

Date Filed:

License No:

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

Provide a description of noise control methods that will be used to restrict emissions of the generated sound.

There are none. When music deemed by us to be too loud we ask musicians to turn it down.

Provide a description of the time schedule for the installation of noise abatement and control devices, technology and procedures or process modifications that will be followed to restrict the emissions of the sounds and vibrations.

Please see above.

By signing below, I acknowledge that in the event the City Clerk issues a permit, the permit shall be valid for the time period requested, but shall be rendered invalid if the actual source of sound authorized under the permit, as measured by a law enforcement officer, causes a continuous noise level in excess of 70 db(A) across any real property boundary.


Applicant Signature

8/28/13
Date



Office of the City Clerk

Date Filed: _____

License No: _____

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

This Page Office Use Only

Application contains written consent of property owner where event will take place: Yes No

Duration of requested permit to exceed three days: Yes No

Permit granted for the same location, similar event, and for same sponsor within the four weeks prior to this application: Yes No

Verification of Applicant's signature: Yes No

Proposed source of sound to cause noise level in excess of seventy (70) db(A) across any real property boundary: Yes No

Application Determination

City Clerk: Approved Denied

Signature: _____ Date: _____

If application is denied, please provide explanation in the space provided below.

Permit not accompanied by fee: Yes No

Permit not accompanied by property owner's written consent: Yes No

Requested duration exceeds three days: Yes No

Permit issued within four weeks prior to this application: Yes No

Sound source will cause noise in excess of seventy (70) db(A): Yes No

Applicant's signature was not verified: Yes No

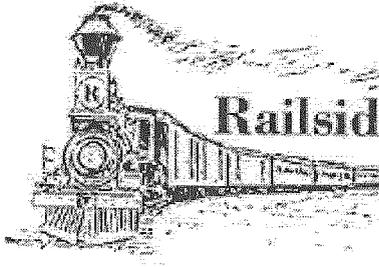
Application was incomplete: Yes No

Other:

E-mail on Results

Angela will discuss @ meeting Tuesday - 3rd.

Pd-25 - Ch # 2035



Railside Properties, LLC

2338 Seneca St.
Binghamton, NY 13903

To: Whom It May Concern
From: Frank Whitney, Owner
Date: August 28, 2013
Subject: Remliks Restaurant

I Frank Whitney, Owner of the Kilmer Building, Located at 31 Lewis Street, Binghamton, NY 13901, am fine with the request from Remliks to have live entertainment (bands, music, etc.). Please contact me with any questions.

Sincerely,

Frank Whitney, Owner
Kilmer Building
31 Lewis Street
Binghamton, NY 13901
(607)-772-0437 Office
(607)-765-9146 Cell

www.kilmerbuilding.com

Phone: 607.772.0437 Cell:607.759.7218



Legislative Branch

RL Number:

13-148

Date Submitted:

8/29/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Councilman Chris Papastrat

Title/Department: 5th District

Contact Information: (607) 772-7134, district5@cityofbinghamton.com

RL Information

Proposed Title: A Resolution to support an application by the Broome County Land Bank Corporation to the Community Revitalization Initiative

Suggested Content: Draft legislation is attached.

Additional Information

Does this RL concern grant funding? Yes No

If 'Yes', is the required RL Grant Worksheet attached? Yes No

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance Planning MPA PW/Parks Employees Rules/Special Studies

A RESOLUTION TO SUPPORT AN APPLICATION BY THE BROOME COUNTY LAND BANK CORPORATION TO THE COMMUNITY REVITALIZATION INITIATIVE

The Town Board (hereinafter “Board”) of the Town of _____ (hereinafter “Town”), duly convened in regular session at Town Hall does hereby resolve as follows:

WHEREAS, the Town is within Broome County;

WHEREAS, the Broome County Land Bank Corporation was recently established to foster redevelopment of abandoned and underutilized sites;

WHEREAS, the goals of the Broome County Land Bank Corporation are to:

1. Stem Disinvestment in the Neighborhoods Surrounding Abandoned Properties
2. Protect the Public Health and Safety by Securing and Remediating Abandoned Properties
3. Return Vacant, Abandoned, and Tax-Delinquent Properties to Productive Use
4. Turn Vacant Spaces into Vibrant Spaces
5. Provide a Mechanism for Coordinating Reuse of Flood Impacted Properties, Primarily for Hazard Mitigation Efforts
6. Promote Increased Levels of Home Ownership

WHEREAS, the Office of the New York Attorney General recognizes that Land Banks are one of the tools to facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use;

WHEREAS, the Office of the New York Attorney General has established the Community Revitalization Initiative out of a portion of the proceeds from the National Mortgage Settlement obtained by New York;

WHEREAS, funds from the Community Revitalization Initiative may be used for the acquisition, rehabilitation or demolition of vacant, distressed or blighted properties;

NOW THEREFORE BE IT RESOLVED, that we, the undersigned, find that approval by the Office of the Attorney General of an application by the Broome County Land Bank Corporation for funds under the Community Revitalization Initiative would be in the best interests of the residents of our community;

BE IT FURTHER RESOLVED, that the Town hereby make a determination that this action is a Type II action under 6 NYCRR 617.5(20); and no further analysis is necessary, and

BE IT FURTHER RESOLVED, that we the undersigned support the application by the Broome County Land Bank Corporation for funding under the Community Revitalization Initiative;

BE IT FURTHER RESOLVED, that the Town Supervisor be and hereby is directed to send a certified copy of this resolution to:

Frank Evangelisti,
Chief Planner
Broome County Department of Planning
P.O. Box 1766
Binghamton, NY 13902

LASTLY IT BE RESOLVED, that this resolution shall take effect immediately.