



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Renna, City Council President
 Angela Holmes, City Clerk

CITY COUNCIL WORK SESSION AGENDA
City Council Work Room, 38 Hawley Street, Binghamton
Monday October 7, 2013

Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
5:00pm	Finance	Webb	RL 13-159: Save Work on FOIL Requests	3-4	John J. Sheehan
5:15pm	-----	-----	Discussion: Capacity, Management, Operation and Maintenance (CMOM) Report	-----	Phil Krey, John Lagorga, Gregory Liberman
5:45pm	-----	-----	Discussion: Pitbulls in the City of Binghamton	-----	Michael Senio, Brian Hill, Councilman Papastrat
6:00pm	Finance	Webb	RL 13-163: Out-of-Title Stipends to Senior Planner and Sustainable Development Planner	8-9	Tarik Abdelazim
	Planning	Webb	RL 13-166: Sale of 42 Robinson Street to Americo & Mary Dicamillo	47	
6:15pm	-----	-----	Discussion: Greenman Senior Center	-----	Mike Dervay
6:30pm	Finance	Webb	RL 13-167: Various Transfers in Department of Public Works 2013 Budget	48-51	Patrick Torrico
	-----	-----	Discussion: Traffic Signals	52-62	
6:45pm	Planning	Webb	RL 13-165: Declaring City of Binghamton as Lead Agency for Update to Comprehensive Plan & Main/Court Corridor Form-Based Code	13-46	Melissa Enoch
7:00pm	Finance	Webb	RL 13-164: Various Transfers in the Binghamton-Johnson City Joint Sewage Board 2013 Budget	10-12	Shane Guilford, George Kolba
7:15pm	-----	-----	Discussion: New York State Comptroller Report of Examination, "Apparent Misappropriation of Parks & Recreation Department Funds"	63-78	Angela Holmes
7:30pm	-----	-----	Discussion: PILOT Agreement for Stellar 83 Court	-----	Scott Snyder, Lawrence Gladstone, Lillian Levy
7:45pm	MPA	Motsavage	RL 13-146: Traffic Board Membership	1-2	Kyle Seeley
8:00pm	MPA	Motsavage	RL 13-160: Free Parking for Columbus Day Parade	5	Councilman Berg



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Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
8:15pm	MPA	Motsavage	RL 13-161: Amending Chapter 400 Regarding Council Review of Traffic Board Decisions	6	Council President Renna
	MPA	Motsavage	RL 13-162: Repealing Traffic Board Order Regarding Removal of Traffic Signal at Conklin Avenue & Telegraph Street	7	
	-----	-----	Discussion: Introductory Resolution 13-80, Urging Broome County to Maintain Ownership of Broome County Public Transit	79-80	
	-----	-----	Discussion: Review of Committee Reports & Pending Legislation	-----	

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:

13-146

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: 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:
13-159
Date Submitted:
9/19/13

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: John J. Sheehan
Title/Department: Taxpayer **DATE OF REQUEST**
Contact Information: 607-723-7802 9-18-13

RL Information

Proposed Title: Save work on FOIL requests

Suggested Content: Do not charge for foil requests for less than four pages.

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"/>

2012

	Fire	Clerk
January	9	21
February	2	25
March	3	17
April	3	18
May	8	18
June	3	11
July	3	21
August	3	61
September	1	14
October	10	19
November	7	14
December	8	13
TOTAL	60	252

Police

Regular FOIL Requests	3877
DA's Office Requests	1355*
Corporation Counsel	102*
TOTAL	5334

*Includes last six months of 2012 only.

2013

	Fire	Clerk
January	6	15
February	2	14
March	6	16
April	8	24
May	5	18
June	4	24
July	4	15
August	4	19
September	1	13
October		
November		
December		
TOTAL	40	158

Police

Regular FOIL Requests	2176
DA's Office Requests	2275
Corporation Counsel	266
TOTAL	4717



Legislative Branch

RL Number:

13-160

Date Submitted:

9/26/2013

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Councilman Bill Berg, 7th District

Title/Department: City Council

Contact Information: _____

RL Information

Proposed Title: A Resolution authorizing free parking with validation for the Columbus Day

Parade to be held on October 14, 2013

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): R12-72

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance Planning MPA PW/Parks Employees Rules/Special Studies



Legislative Branch

RL Number:
13-161
 Date Submitted:
9/30/2013

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Teri Rennia

Title/Department: City Council President 3rd District

Contact Information: _____

RL Information

Proposed Title: A Local Law to amend Chapter 400 of the Binghamton Traffic

Board to allow City Council 30 days to review all decisions of the Binghamton Traffic Board

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 Planning MPA PW/Parks Employees Rules/Special Studies



Legislative Branch

RL Number:
13-162
Date Submitted:
9/30/2013

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Teri Rennia

Title/Department: City Council President 3rd District

Contact Information: _____

RL Information

Proposed Title: An Ordinance repealing an order of the Binghamton Traffic Board to remove the traffic signal from the intersection of Conklin Avenue and Telegraph Street

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 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"/>



Legislative Branch

RL Number:

13-163

Date Submitted:

10/2/13

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: T Abdelazim

Title/Department: Director / PHCD

Contact Information: _____

RL Information

Proposed Title: Ordinance Authorizing Out-of-Title Stipends to Senior Planner and Sustainable

Development Planner

Suggested Content: Sustainable Development Planner - \$714 (assumed 25% of Chief Planner work)

Senior Planner - \$1,428 (assumed 50% of Chief Planner's work)

NOTE - Director of PHCD assumed remaining 25%, but is salary based and will receive no additional compensation

Additional Information

(# within salary line)

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><i>[Signature]</i></u>
Comptroller:	<u><i>[Signature]</i></u>
Corporation Counsel:	<u><i>[Signature]</i></u>
Finance <input 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"/>



Department of Personnel and Safety

Mayor, Matthew T. Ryan

Patricia A. Keppler, Director of Personnel and Safety

September 30, 2013

MEMORANDUM OF UNDERSTANDING

The City of Binghamton would like to pay a per pay stipend to the following employees, who undertook additional responsibilities, during the absence of the Chief Planner, from 6/8/13 through 12/31/13.

Melissa Enoch, the sum of \$714.00, divided among the remaining pay periods of 2013. Melissa assumed approximately 25% of the Chief Planner responsibilities. Melissa took on the task of Project Manager for Blue Print Binghamton, as well as First Ward BOA.

Leigh McCullen, the sum of \$1,428.00, divided among the remaining pay periods of 2013. Leigh assumed approximately 50% of the Chief Planner responsibilities. Leigh took on the responsibility for nearly all supervisory duties. She also took over the Building Policy and Procedures Project and has been consulting with Peter L'Orange on a major overhaul of sign ordinance, which was a project assigned to the Chief Planner.

Although neither of the above employees was working as the Chief Planner, they did take on additional responsibilities for a long period of time, and we would like to provide recognition for this in the form of additional compensation.

This does not set a precedent for any future similar situations.

For the City:

For the Union:

Patricia A. Keppler

JoAnn Mastronardi, CSEA Unit 6151



Legislative Branch

RECEIVED

RL Number:

13-184

Date Submitted:

10/2/13

OFFICE OF THE CITY CLERK

CITY OF BINGHAMTON

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: Binghamton-Johnson City Joint Sewage Board

Title/Department: _____

Contact Information: POC: George Kolba, Chairman (754-8787)

RL Information

Proposed Title: An Ordinance to Authorize the Transfer of Funds to various lines in the 2013 JSB Budget

Suggested Content: _____
(please see proposed resolution wording 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): 2013 JSB Budget

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance Planning MPA PW/Parks Employees Rules/Special Studies

PROPOSED LEGISLATION WORDING

RECEIVED

OCT 2 2013

OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE BINGHAMTON-
JOHNSON CITY JOINT SEWAGE BOARD FISCAL
OFFICER TO MAKE TRANSFERS IN THE 2013 JOINT
SEWAGE BOARD BUDGET TO FUND VARIOUS
LINES.

WHEREAS, the Council of the City of Binghamton and the Board of Trustees of the Village of Johnson City jointly approve the annual budget of the Binghamton-Johnson City Joint Sewage Board (“JSB”); and

WHEREAS, Inter-Municipal Agreement No. IX (IMA-IX) sets forth the procedure for the JSB to request approval of budget transfers and modifications during the year or within 30 days thereafter so long as any transfers do not increase the JSB’s budgeted expenses for the year; and

WHEREAS, the JSB reports that it needs funding for Grounds and Janitorial, Telephone/FAX/Internet, Vehicle repairs, Temporary Services, Safety Equipment, Office Equipment/Computers, Laboratory Supplies and Equipment Rental/Lease; and

WHEREAS, the JSB has complied with the IMA-IX procedure, and it is appropriate to modify the JSB’s 2013 budgets by making the budget transfers authorized herein, which transfers do not change the total amount of the JSB’s 2013 Operations and Maintenance budget,

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby resolve as follows:

Section 1. The City of Binghamton hereby authorizes and directs the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to make the following budget transfers:

- [i] \$2000 from Operating budget line J8130.55000 (“Contingency”) to Operating budget line J8130.54125 (“Grounds and Janitorial”)
- [ii] \$7500 from Operating budget line J8130.55000 (“Contingency”) to Operating budget line J8130.54120 (“Telephone/FAX/Internet”)
- [iii] \$6000 from Operating budget line J8130.55000 (“Contingency”) to Operating budget line J8130.54450 (“Vehicle repairs”)
- [iv] \$3500 from Operating budget line J8130.55000 (“Contingency”) to Operating budget line J8130.51800 (“Temporary Services”)
- [v] \$5000 from Operating budget line J8130.55000 (“Contingency”) to Operating budget line J8130.52601 (“Safety Equipment”)

[vi] \$1000 from Operating budget line J8130.55000 ("Contingency") to Operating budget line J8130.52001 ("Office Equipment/Computers")

[vii] \$4000 from Operating budget line J8130.55000 ("Contingency") to Operating budget line J8130.54149 ("Laboratory Supplies")

[vii] \$2000 from Operating budget line J8130.55000 ("Contingency") to Operating budget line J8130.54520 ("Equipment Rental/Lease");

Section 2. That this resolution shall take effect immediately upon approval by a majority of the Board of Trustees of the Village and a majority of the Council of the City of Binghamton.

I HEREBY CERTIFY that the above-described funds are unencumbered and available.

CHARLES L. PEARSALL, City of
Binghamton Comptroller and Joint Sewage
Board Fiscal Officer

RECEIVED

OCT 2 2000

OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON



Legislative Branch

RL Number:
13-165
 Date Submitted:
10/2/13

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Melissa L. Enoch
Title/Department: Sustainable Development Planner / PHCD
Contact Information: mleloch@cityofbinghamton.com; 772-7028

RL Information

Proposed Title: A resolution declaring the City of Binghamton Lead Agency under SEQRA for the update to the City's 2003 Comprehensive Plan and the Main/Court Corridor Form-Based Code, signing the Full Environmental Assessment Form and authorizing preparation of a draft GEIS
Suggested Content: To be drafted by Corporation Counsel

* TENTATIVELY SCHEDULE FOR BUSINESS MEETING ON JANUARY 22, 2014. *

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): R11-137

OFFICE USE ONLY					
Mayor:					
Comptroller:					
Corporation Counsel:					
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
Director, Tarik Abdelazim

TO: City Council Members
FROM: Melissa L. Enoch, Sustainable Development Planner
DATE: September 25, 2013
RE: Comprehensive Plan Update and Form-Based Code SEQR Review

As you are aware, the City received a grant from the Department of Housing and Urban Development (HUD) through the Community Challenge Grant Program (CCPG) in 2011 to aid in the update of the City's 2003 comprehensive plan and to implement a form-based code in the Main and Court Streets Corridor. The Planning Department, with the assistance of its planning consultant, Interface Studio, has spent the last year working on an extensive public outreach campaign, Blueprint Binghamton. Based upon community feedback, the planning team has developed a list of preliminary recommendations for the plan. Interface Studio presented these recommendations to City Council on September 4th. The project is now moving into the plan formation stage and Staff finds it appropriate to initiate the SEQR process at this time.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) ACT

A municipality's adoption of a comprehensive plan is subject to SEQR and is classified as a Type I action in SEQR regulations. The Main and Court Corridor form-based code is also subject to SEQR, according to 6 NYCRR Section 617.4(b)(2) which states that "the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district" is a Type 1 Action.

SEQR review should begin as soon as the principal features of a proposed action and its environmental impacts can be reasonably identified. Since the plan and form-based code are starting to be developed, environmental impacts can be reasonably identified. To start the process the Lead Agency must be established. City Council would be the only Agency responsible for approving this project. Therefore, Council must act as Lead Agency.

The New York Department of Environmental Conservation recommends that municipalities prepare a Generic Environmental Impact Statement (GEIS) to analyze the environmental impacts of a comprehensive plan. And, since at least one impact has been identified through the completion of the attached long Environmental Assessment Form, Staff have prepared and attached a Positive Declaration with Notice of Intent to prepare a draft EIS. Staff will request to schedule a scoping session in January which is when the form-based code recommendations are due. The scoping session will be used to work with the public to identify potential environmental impacts to be analyzed in the GEIS.

As outlined above, Staff requests that the City Council take the following actions in order to begin the SEQR process:

1. Declare City Council's intent to act as Lead Agency
2. Declare the action a Type I Action
3. Accept the positive declaration with the notice of intent to prepare a Draft Generic Environmental Impact Statement (GEIS)

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: City of Binghamton Comprehensive Plan Update & Form Based Code		
Project Location (describe, and attach a general location map): City of Binghamton		
Brief Description of Proposed Action (include purpose or need): The most recent Comprehensive Plan was adopted in 2003; a comprehensive revision of the Zoning Code was adopted in 2006. Under the proposed action, the City of Binghamton is updating its Comprehensive Plan. The Comprehensive Plan is a blueprint for the City's future that will provide specific goals and objectives for the growth and development of the City. The action includes review of existing conditions to identify needs and opportunities and implementation strategies for the City. Through the Community Action Plan, the City is obtaining input from the public, steering committee and stakeholders. The following elements are being considered for the plan update: Land Use and zoning, housing analysis, environment and open space, infrastructure, transportation systems, community health and safety, floodplain management, economic analysis, historic preservation, climate change and energy, arts and cultural facilities and organizations/operations analysis. The second component of the proposed action is to conduct a thorough review of the zoning ordinance and Comprehensive Plan as it pertains to the Main Street-Court Street Corridor and obtain input from stakeholders to craft a Form Based Code for that corridor. The Form Based code will create a more predictable process and outcome for the City and future developers and will require an amendment to the existing zoning ordinance.		
Name of Applicant/Sponsor: City of Binghamton - Terri Rennia, Council Member 3rd District	Telephone: (607) 772-7165	E-Mail: district3@cityofbinghamton.com
Address: Binghamton City Hall, 38 Hawley Street		
City/PO: Binghamton	State: NY	Zip Code: 13901
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council - SEQR review	Lead agency designation - 10/2013; remaining SEQR tasks to follow.
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Zoning amendment for Form Based Code for Main Street/Court Street Corridor	
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	US Department of Housing & Urban Development Funding - grant	2011
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): BOA plan - Brandywine corridor; First Ward Neighborhood BOA, N. Chenango River Corridor BOA	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Please see the attached zoning map.

b. Is the use permitted or allowed by a special or conditional use permit? Yes No
N/A

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? Form-Based Code for Main Street - Court Street Corridor

C.4. Existing community services.

a. In what school district is the project site located? City of Binghamton

b. What police or other public protection forces serve the project site?
Binghamton Police Department

c. Which fire protection and emergency medical services serve the project site?
Binghamton Fire Department (fire and EMS). Superior Ambulance & Broome Volunteer Emergency Squad also provide service to the area.

d. What parks serve the project site?
City of Binghamton runs approximately 34 parks, field and natural areas. See attached for a listing.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.
 One Family Two Family Three Family Multiple Family (four or more)
 Initial Phase _____
 At completion _____
 of all phases _____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes: _____

- acres of aquatic vegetation proposed to be removed _____
- expected acreage of aquatic vegetation proposed to be removed _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes: _____

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes: _____

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes: _____

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes: _____

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes: _____

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes: _____

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
- vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

- i. During Construction:
 - Monday - Friday: _____
 - Saturday: _____
 - Sunday: _____
 - Holidays: _____
- ii. During Operations:
 - Monday - Friday: _____
 - Saturday: _____
 - Sunday: _____
 - Holidays: _____

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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or an amount in underground storage)? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____ _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

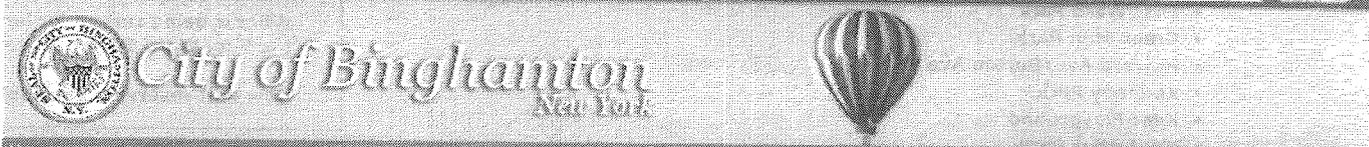
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Teri Renna Date _____

Signature _____ Title Council Member, 3rd District.

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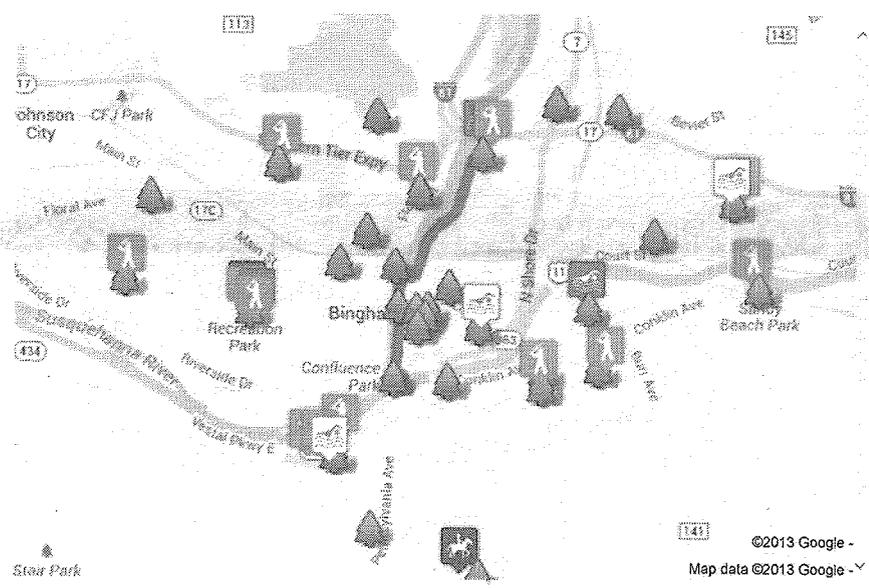
City Parks, Pools & Fields

Binghamton City Parks define the character of the City and offer a unique range of assets for the region. The City runs approximately 34 parks, fields and natural areas that include pools, ball fields, tennis and basketball courts, picnic areas, playgrounds, monuments, trails, forested areas and public gathering places.

Parks Map

Legend:

- 
Park
- 
River trail
- 
Ball field
- 
Small pool
- 
Large pool
- 
Carousel



[Click here to view a larger map.](#)

Parks List

Click on any of the parks to view a google map of the park's location and its amenities.

- Full Listing of All City Parks**
- Alfred Street Park
 - Benjamin Franklin Playground
 - Boland Park
 - Brown Park
 - Chenango River Promenade
 - Cheri A. Lindsey Memorial Park & Bark Park
 - Columbus Park
 - Commercial Alley
 - Confluence Park

Contacts

- William Barber**
Director of Parks & Recreation
(607) 772-7017
[Email](#)
- Carol Quinlivan**
Assistant Director of Parks & Recreation
(607) 772-7017
[Email](#)
- Parks Maintenance**
(607) 772-7211
- Booth Field**
(607) 772-7193
- Columbus Park**
(607) 772-7168
- MacArthur Park**
(607) 772-7205
- First Ward Senior Center**
(607) 797-2307
- North Side Pool**
(607) 772-7202
- Recreation Park**
(607) 722-9166
- Fairview Park**
(607) 772-7208
- Street Tree Service**
(607) 772-7017
- South Side Pool**
(607) 772-7204

Forms, Permits, & Licenses

- Men's Adult Basketball
- Pee Wee Football
- Recreational CO-ED Volleyball 2013-2014 Season
- Street Tree Request Form
- Women's Adult Basketball
- Youth Soccer League

Old Documents

- Swim Lessons

External Links

- [Binghamton Zoo at Ross Park](#)

FAQ

- Fairview Park
- First Ward Park
- Green Man Park
- Howard Ave/Burton Ave Park
- Kennedy Park
- Kent Playground
- MacArthur Park
- Parlor City Commons
- Recreation Park
- River Trail
- Ross Park
- Sandy Beach Park
- South Mountain Park
- Southside Park
- State Street Park
- Sunflower Park
- Tyler Park
- Union Park
- Valley Street Park
- Wallenburg Park
- Walnut Street Park
- Washington Street Mall
- Webster Street Playground
- West End Park

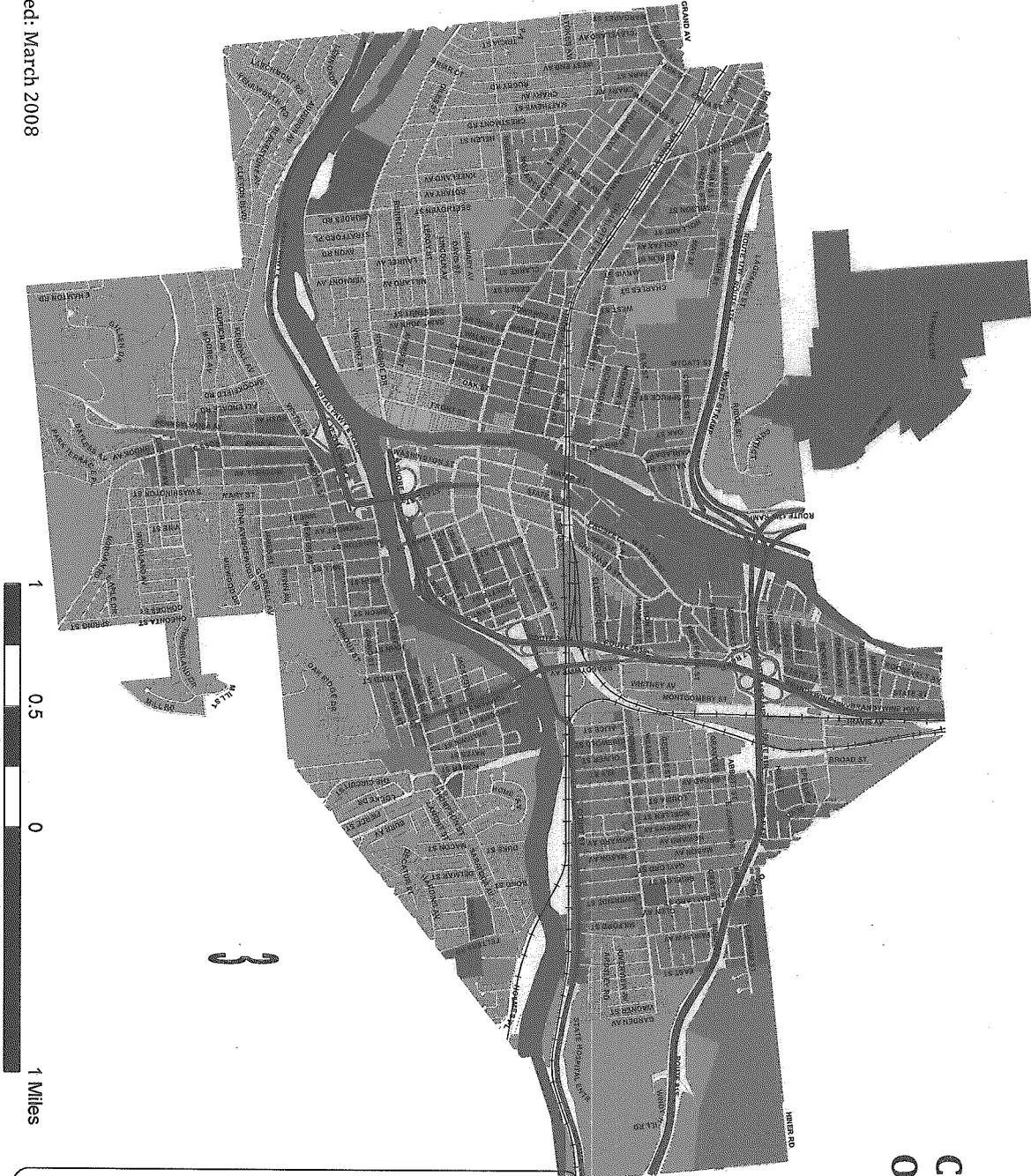
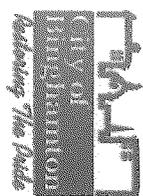
• Pools

• Fields

• Carousels

- Are dogs allowed in the parks?
- What is being served for lunch at the First Ward Senior Center?
- How do I reserve a pavilion?

City of Binghamton Official Zoning Map



Legend	
	County Road
	Federal Route
	Interstate
	State Route
	RAMP
	Railroad
	Rivers
	Roads
ZONING	
	C-1 Service Commercial
	C-2 Downtown Business
	C-3 Medical
	C-4 Neighborhood Commercial
	C-5 Neighborhood Office
	C-6 Limited Neighborhood Commercial
	I-1 Urban Business Park
	I-2 Light & Medium Industrial
	I-3 Heavy Industrial
	R-1 Residential Single Unit Dwelling
	R-2 Residential One & Two Unit Dwelling
	R-3 Residential Multi-Unit Dwelling

Map Updated: March 2008

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

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I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

NO YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.

NO YES

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

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g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

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e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) **NO** **YES**
If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

NO

YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: Positive impact on appearance of Main St-Court St corridor. Will be evaluated and discussed in more detail in the DGEIS.		<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

NO

YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

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d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation
 The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. NO YES
 (See Part 1. C.2.c, E.1.c., E.2.q.)
 If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas
 The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1, E.3.d) NO YES
 If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
 If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

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d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans. NO YES
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: <u>The FBC will result in changes in density and land use compared to current zoning.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character. NO YES
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>Form -Based Code will require an amendment to existing zoning. Through opportunities for public involvement the FBC will reflect the communities vision</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

PRINT FULL FORM

RESET FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Moderate to large impacts have been identified for 9. Aesthetic Resources, 17. Consistency with Community Plans and 18 Consistency with Community Character. Many of the impacts are expected to be positive in nature. The recommendations for the Comprehensive Plan and Form Based Code for the Main Street-Court Street corridor are still being developed; therefore, the impacts are not being evaluated using this form. A Generic Draft Environmental Impact Statement (DGEIS) will be developed to assess the the city-wide and cumulative effects of the recommendations included in the Comprehensive Plan and the land use and density changes prescribed by the plan and the FBC.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted.

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City of Binghamton _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: City of Binghamton Comprehensive Plan Update and Form Based Code

Name of Lead Agency: City of Binghamton

Name of Responsible Officer in Lead Agency: Terri Rennia

Title of Responsible Officer: Council Member 3rd District

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Melissa L. Enoch

Address: 38 Hawley Street, Binghamton, NY 13901

Telephone Number: (607) 772-7028

E-mail: mlenoch@cityofbinghamton.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

State Environmental Quality Review
POSITIVE DECLARATION
 Notice of Intent to Prepare a Draft EIS
 Determination of Significance

Project Number _____

Date _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton as lead agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: City of Binghamton Comprehensive Plan Update and Form-Based Code

SEQR Status: Type 1
 Unlisted

Scoping: No Yes If yes, indicate how scoping will be conducted:

Scoping will be conducted at a City Council work session with an opportunity for public comment to follow.

Description of Action:

Pursuant to the New York State Environmental Quality Review Act (SEQRA), the proposed action is the adoption of an update to the City of Binghamton Comprehensive Plan and adoption of Form-Based Code (FBC) for the Main Street-Court Street Corridor. As stated in the SEQR regulations 617.4 (1) the adoption of a municipality's land use plan, the adoption by any agency of a comprehensive resource management plan or the initial adoption of a municipality's comprehensive zoning regulations are identified as Type I actions. The proposed Comprehensive Plan is a blueprint for the City's future that will provide specific goals and objectives for the growth and development of the City. The Form-Based Code will control the physical form of buildings, with a lesser focus on land use, via an amendment to the existing zoning.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

City of Binghamton, New York. Reference the attached map.

Reasons Supporting This Determination:

Issuance of a Positive Declaration and subsequent preparation of a Draft Generic Environmental Impact Statement (DGEIS) are intended to provide City Council, the public and interested agencies with an understanding of the type of environmental impacts that may be associated with the Proposed Action.

As stated in 617.10, a Generic EIS may be used to assess the environmental impacts of: "an entire program or plan having wide range application..". Furthermore, this section states that "Generic EISs may be broader, and more general than site or project specific EISs". However, impacts of individual actions proposed to be carried out in conformance with the adopted plans and regulations and the thresholds or conditions identified in the DGEIS may require no or limited SEQR review.

The DGEIS for the proposed action will include an analysis of city-wide and cumulative effects of the recommendations included in the Comprehensive Plan as well as land use and density changes prescribed by the plan and the FBC.

For Further Information:

Contact Person: Terri Renna, Council Member 3rd District

Address: Binghamton City Hall, 38 Hawley Street, Binghamton, NY 13901

Telephone Number: (607) 772-7165

A copy of this notice must be sent to:

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Binghamton

Any person requesting a copy

All Involved agencies

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750



Legislative Branch

RL Number:
13-166
 Date Submitted:
10/3/13

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: Tarik Abdelazim

Title/Department: Director of Planning, Housing and Community Development

Contact Information: 772-7028

RL Information

Proposed Title: Ordinance Authorizing Sale of 42 Robinson Street to Americo & Mary Dicamillo

Suggested Content: To be drafted by Corporation Counsel

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 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:

13-167

Date Submitted:

10/3/13

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: Patrick Torrico
Title/Department: 1st Deputy Commissioner of Public Works
Contact Information: (607) 772-7021

RL Information

Proposed Title: An Ordinance authorizing various transfers in the Department of Public Works
2013 budget

Suggested Content: Transfer requests approved by Board of Estimate and Apportionment.

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"/>



CITY OF BINGHAMTON

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

REQUEST FOR TRANSFER OF FUNDS

*Transfer requests of \$2500 or less must be approved by the Comptroller.
Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
Transfer requests in excess of \$10,000 must be approved by City Council.*

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 9/26/2013

I respectfully request the below described transfer of funds due to the following reasons:

Shortage in traffic safety materials line

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A1650.54410 Professional Svces	A1650.54142 Traffic Safety Materials	\$9,000

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: Luke Day

Date: 9/26/2013

OFFICE USE ONLY

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature: _____

Date: 9/26/13

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, *Appropriations*. Certified by the Treasurer.

Signature: _____

Date: _____

Transfer of funds APPROVED DENIED on 10/2/13. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: _____

Date: 10/13/13

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____

Date: _____



CITY OF BINGHAMTON

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

REQUEST FOR TRANSFER OF FUNDS

Transfer requests of \$2500 or less must be approved by the Comptroller.
Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
Transfer requests in excess of \$10,000 must be approved by City Council.

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 9/16/2013

I respectfully request the below described transfer of funds due to the following reasons:

The paving machine required several expensive parts to be replaced this year along with a more aggressive preventative maintenance program.

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A1640.54201 Gas Heat	A1640.54110 Vehicle Parts	\$7,500
A1640.54202 Electricity	A1640.54110 Vehicle Parts	\$6,000

\$13,500

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: Luke Day

Date: 9/16/2013

OFFICE USE ONLY

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature:

Date:

9/16/13

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer.

Signature:

Date:

Transfer of funds APPROVED / DENIED on 9/18/13. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature:

Date:

9/18/13

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature:

Date:



CITY OF BINGHAMTON

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

REQUEST FOR TRANSFER OF FUNDS

Transfer requests of \$2500 or less must be approved by the Comptroller.
Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
Transfer requests in excess of \$10,000 must be approved by City Council.

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 9/16/2013

I respectfully request the below described transfer of funds due to the following reasons:

Need additional funding for vehicle parts, parks department used over \$43,000 from the parts line.

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A8160.52600 Equipment	A1640.54110 Vehicle Parts	\$6,000
SANITATION	CENTRAL GARAGE	

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: Luke Day  Date: 9/16/2013

OFFICE USE ONLY

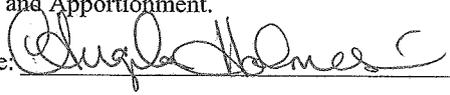
I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature:  Date: 9/16/13

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, Appropriations. Certified by the Treasurer.

Signature: _____ Date: _____

Transfer of funds APPROVED / DENIED on 9/18/13. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature:  Date: 9/18/13

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____ Date: _____

Holmes, Angela

From: Torrico, Patrick
Sent: Friday, September 27, 2013 9:58 AM
To: Seeley, Kyle; Day, Luke; 'Bill Berg'; 'Chris Papastrat'; 'Jerry Motsavage'; 'Joe Mihalko'; 'John Matzo'; 'Lea Webb'; 'Teri Renna'
Cc: Davis, Katherine; Berg, Bill; Browne, Rebecca; 'Correll, Dan'; Hanrahan, Meghan; 'Holleran, Matthew'; Krey, Philip; 'Paddick, Cyndi'; Yeager, William; 'dmaerkl@cityofbinghamton.com'; McCullen, Leigh; Holmes, Angela; Frank, Kenneth
Subject: RE: Traffic Sign Removal
Attachments: Evaluation Intersections.xlsx; Traffic Signal Closure Procedure.docx; Traffic Signals Evaluation Time Line.xlsx

Good morning City Council,

Attached please find the relevant documentation regarding the traffic signal study in process. The first attachment reflects all intersections that are either free of warrants (#16-#31) or require additional count data (#1-#15). The second attachment reflects the evaluation/closure procedure used in the evaluation or possible closure of any intersection. The third attachment is the specific timeline associated with each intersection within the evaluation process. Presently there are 9 intersection at some point within the four month evaluation cycle. It should be noted that the inclusion of any intersection does not preclude the retention of the traffic signals at those intersections. This is an evaluation process to determine based on a number of conditions including community input the possibility of utilizing alternative traffic control methods, improve traffic flow and reduce current and future expenditures related to the maintenance and the eventual required upgrade of the City's traffic signals. Please contact me for any additional information or clarification.

Regards,

Patrick Torrico
Dept. of Public Works

From: Seeley, Kyle
Sent: Thursday, September 26, 2013 4:16 PM
To: Torrico, Patrick; Day, Luke; Bill Berg; Chris Papastrat; Jerry Motsavage; Joe Mihalko; John Matzo; Lea Webb; Teri Renna
Cc: Davis, Katherine; Berg, Bill; Browne, Rebecca; 'Correll, Dan'; Hanrahan, Meghan; 'Holleran, Matthew'; Krey, Philip; 'Paddick, Cyndi'; Yeager, William; 'dmaerkl@cityofbinghamton.com'; McCullen, Leigh; Holmes, Angela; Frank, Kenneth
Subject: Traffic Sign Removal

Good Afternoon,

There have been a few issues raised regarding the traffic signal study, traffic board, and alerting City Council. As chair of the traffic board, I apologize for the confusion. Moving forward we will do the following:

Regarding the lights at Telegraph & Conklin and St. Johns & Leroy:

- The Board approved the removal of these lights last Thursday.
- The Code states:
§ 400-26. Authority of Council to amend or repeal orders, rules and regulations.
The City Council shall have the right to enact ordinances to repeal or amend any order, rule or regulation adopted by the Traffic Board.
§ 400-28. Notification to Council Member of proposed changes in ward.

The Traffic Board shall, at least one week before any change is made in any ward of the City, notify, in writing, the Council Member of the ward where the change is to be made, setting forth the change proposed by the Board.

- **Because of the timeframe between the last traffic board meeting and the next council meeting, the Mayor has requested to stop the removal of the lights until City Council can conduct a review regarding the decisions.**

Regarding the other lights under study:

- We will provide Council with further information on the timeframe for each light that is under study
- We will provide Council heads-up on when a vote will be held by the Traffic Board on a light removal
- We will give Council a reasonable amount of time to consider and act on a decision made by the Traffic Board before approved decisions are implemented

Regarding further decisions made by the Traffic Board:

- This incident has exposed an issue between the Traffic Board and Council's ability to advise and consent. We need to discuss how we proceed in the future to assure Council has the ability to fulfill their duties via the City Code. A timeline for response, possibly 30 days, should be established.

If you have any further questions or concerns, please let me know.

All the best,

Kyle R. Seeley
Executive Assistant
Office of the Mayor
38 Hawley Street, 4th Floor, City Hall
Binghamton, NY 13901
Office: (607) 772-7001
Cell: (607) 343-3670
Fax: (607) 772-7079
krseeley@cityofbinghamton.com
www.binghamton-ny.gov

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		Removal	Controller	Year	MUTCD Warrants	Total Crashes (2011)	Correctable by Signals (2011)	Comments	Recommended TCD	Additional Data	
1	Court/Carroll	No	186	2011	NO	2	0	Analysis was performed for AM & PM peak hours. Volume is fairly distributed among both roads. Crash records for last 3 years doesn't show any correctable crashes by signal. 24-hr traffic volume counts should be checked before removing the signal.		24 Hour Data (All Direction)	
2	Court/Fayette	No	186	2011	NO	3	1			24 Hour Data (All Direction)	
3	Hawley/Collier	N/A	179	2010	NO	0	0	Doesn't meet the signal warrants.	STOP		
4	Hawley/Carroll	No	179	2010	NO	1	1	24-hr traffic volume counts should be checked before removing the signal.	TWSC	24 Hour Data (All Direction)	
5	Susquehanna/Carroll	No	170	2011	NO	3	1	24-hr traffic volume counts should be checked before removing the signal.	TWSC	24 Hour Data (All Direction)	
6	Henry/Chapman	No	2070	2009	NO	0	0	24-hr count data shows increase in volume after peak hour.		24 Hour Data (All Direction)	
7	E. Clinton/Washington	No	179	2012	NO	0	0	The boys & girls club ; which was one of the reasons to keep the signal previously, has changed it's location. 24-hr traffic volume counts should be checked before removing the signal.		24 Hour Data (All Direction)	
8	Chenango/State/Bing Plaza	No	179	2012	NO	3	1	24-hr traffic volume counts should be checked before removing the signal.		24 Hour Data (All Direction)	
9	Chenango/Frederick	No	179	2012	NO	0	0	24-hr traffic volume counts should be checked before removing the signal.		24 Hour Data (All Direction)	
10	Robinson/Whitney	No	179	2012	NO	6	0	Robinson Street has high volume traffic but traffic volume on Whitney Ave is pretty low. If signal is removed, placing a stop sign on Whitney Ave is recommended, Stop sign on Robinson street will interrupt the flow.	TWSC	24 Hour Count (All direction)	
11	Robinson/Moeller	Removal	186	2012	NO	1	0	24 hr count data for Moeller street should be checked. Current data shows that it doesn't meet the signal warrants but meets the AWSC warrants. This intersection is in between Court/Moeller and E frederick/Moeller. Traffic flow should be checked for possible interruption by Stop sign.	TWSC	24 Hour Count (All direction)	
12	Conklin/Broome	No	Firehouse?	2009	NO	1	1	If signal is removed, placing a stop sign on Broome Street is recommended.	STOP	24 Hour Count (All direction)	
13	Conklin/Hayes	No	??	2010	NO	1	0	If signal is removed, placing a stop sign on Hayes Street is recommended.	STOP	24 Hour Count (All direction)	
14	Main/Chestnut	Removal	179	2011	NO	5	1	24-hr traffic volume counts should be checked before removing the signal.		24 Hour Count (All direction)	
15	Main/Schiller	Removal	179	2012	NO	3	0	High volume of traffic on Main Street may cause severe delay on minor approach if signal is removed. 24 hr data should be checked.		24 Hour Count (All direction)	
16	Robinson/Mason	Removal	186	2012	NO	1	0	Robinson Street has high volume traffic but traffic volume on Mason is pretty low. Meets the TWSC warrants.	TWSC		
17	Conklin/Telegraph	Removal	179	2012	NO	1	0	If signal is removed, placing a stop sign on Telegraph Street is recommended.	STOP		
18	Vestal/Tremont	Removal	186	2011	NO	0	0	There is a school in between these two intersections. But it doesn't generate significant amount of traffic. If signal is removed, TWSC should be placed on minor street to keep the Vestal Ave traffic flow uninterrupted.	TWSC		
19	Vestal/Mill	No	186	2012	NO	1	0			TWSC	
20	Park/Morris	No		2011	NO	0	0	Doesn't meet warrants.	TWSC		
21	Front/Leroy	Removal		2012	NO	2	2	If signal is removed, placing a stop sign on Leroy Street is recommended, Stop sign on front street will interrupt the flow.	Signal/TWSC		
22	Leroy/Oak	Removal		2012	NO	3	1	None of these signals met warrants. TWSC on minor roads should work well. Most of the intersections have no/worn out pavement marking for pedestrian crossing.	TWSC		
23	Leroy/St. John	Removal		2012	NO	1	1			TWSC	
24	Leroy/Chestnut	Removal		2011	NO	0	0			TWSC	
25	Leroy/Laurel	Removal		2012	NO	1	1			TWSC	
26	Leroy/Beethoven	No		2012	NO	2	1			TWSC	
27	Beethoven/Schubert	Removal		2008	NO	3	2	TWSC on Schubert Street should work well. Needs pavement marking .	TWSC		
28	Riverside Drive/West End	Flasher						Flasher			
29	North/Front	Removal		2010	NO	2	1	If signal is removed, placing a stop sign on North Street is recommended, Stop sign on front street will interrupt the flow.	STOP	Additional Study	
30	Downs Ave							Flasher			

31	Front/Health Dept	Removal		2012	NO	2	0	Traffic volume is too low meet signal warrants or stop control warrants. No significant number of correctable crashes.	STOP	
32	Clinton/Murray	No		2012	NO	1	0	24-hr count shows very high volume of traffic on Clinton Street. Removing the signal may cause significant delay on Murray Street.	Signal/TWSC	Currently the intersection is operating as LOS A (EB/WB), LOS C(NB) & LOS B(SB). As an alternate solution. LOS was checked against TWSC on Murray Street. The LOS in EB/WB direction didn't change but level of service in NB direction downgraded to E and in SB direction it became C. But considering the low volume of traffic on Murray St, TWSC can be an alternative

City of Binghamton – June 2013
Traffic Signal Transition - Closure Procedure

The evaluation and removal of City Traffic Signals will follow and conform to ITE Guidelines and the approval of the City of Binghamton Traffic Boards. This procedure will include;

1. Public Notification - Newspaper notification to the public will be issued in addition to a direct outreach to businesses, institutions and residents within a two block proximity to the intersection under evaluation.
2. Advance Notification Signs - Signal under Study signs will be installed at the evaluation intersection and will remain in place for at least a 30 day period. During this period a survey of the intersection will be performed to determine appropriate traffic control signs to be used after signal removal. The survey (Binghamton Traffic Police) will also identify any changes necessary affecting line of sight or any sight distance restriction. Binghamton Traffic Police to issue work order for required changes (signs and road marking). Those changes and recommendations including any road marking changes will be provided to the City Traffic Board for approval. Implementation of those changes will occur prior to the covering of the signal lights.



3. Covered Signal Evaluation - Following the installation of required traffic control signs and road markings, an evaluation period of 90 days or longer will be utilized to assess impact on traffic flow. An alternative procedure for the 90 day period may include a flashing period for part or all of the 90 day evaluation. The flashing configuration will reflect either a four way or two way stop.

Stop signs will be installed prior to the start of the 90 day evaluation period. This will include "STOP AHEAD" signs some distance before the intersection. Signal Under Study notification signs will be removed at the time stop sign installation.

At the time of stop sign installation, a temporary secondary sign "CROSS STREET DOES NOT STOP" sign will be added and mounted under the intersection stop sign. This sign will remain for a period no less than one month.

4. 90 Day Observation Period - Data collection during this period will include intersection observation and solicitation of general traffic flow performance from public input. Periodic observations will be made at various times during a 24 hour cycle with a focus on peak demand hours. The City of Binghamton web site will be utilized to allow public feedback of intersection traffic flow or any observations by City residents. Businesses and residents living in near proximity to the intersection will be requested to provide concerns, opinions and observations. Data from this process will be made available to the City of Binghamton traffic board.

At 30 days prior to the removal of the signal, temporary signs “SIGNAL TO BE REMOVE On (date)” will be posted.

5. Signal Removal – The removal of the traffic signal will be based on acceptable results from the observation period and final approval of the City of Binghamton Traffic Board. Signal poles and related wiring will remain in place for a minimum of one year.

9

Hawley/Collier

7/1/2013

30 Days

8/1/2013

8/1/2013

11/1/2013

Robinson/Mason

Sight Distance Evaluation

Flash

Traffic Board Review Approval Date	Signal Removal Date
red in conjunction with allation at Chestnut and Leroy.	Projected Date 11/20/2013
9/19/2013	10/7/2013

Initial Removal Signs				90 Day Evaluation - Stops Signs & Signals Flash		Traffic Board Review		
Intersection Location	Installation of Removal Sign Date	Duration	Finish Date	Start Date	Finish Date	Observation	Approval Date	Signal Removal Date Projected
1 Leroy / St. John's Ave	6/5/2013	30 Days	7/5/2013	7/6/2013	TBD	Will be removed in conjunction with new signal installation at Chestnut and Leroy.		11/20/2013
2 Conklin / Telegraph	6/5/2013	30 Days	7/5/2013	7/6/2013	10/7/2013		9/19/2013	10/7/2013
At mid point (6/20/2013)		Additional signs needed						
3 Front St. / Broome Health Dept	6/24/2013	Extended	8/28/2013	8/28/2013	11/28/2013	On hold pending board evaluation		
At end of 30 day period		Relocate Signs from Leroy/St. Johns to Robinson/Mason Additional Signs Needed for Riverside and West End						
4 Front / North	7/9/2013	30 Days	8/9/2013	8/20/2013	11/20/2013	Stop signs installed 8/20/13		
		Relocate Signs from Conklin/Telegraph to Beethoven/Schubert						
5 Beethoven / Schubert	7/9/2013	30 Days	8/9/2013	8/20/2013	11/20/2013	Stop signs installed 8/20/13		
6 Washington / E. Clinton	7/25/2013	30 Days	8/25/2013	8/26/2013	11/26/2013			
7 Leroy / Laurel	8/20/2013	30 Days	9/20/2013	9/20/2013	12/20/2013			
8 Park Ave / Morris	8/30/2013	30 Days	9/30/2013	9/30/2013	12/30/2013			
9 Hawley / Collier	7/1/2013	30 Days	8/1/2013	8/1/2013	11/1/2013			
Robinson / Mason	Sight Distance Evaluation							



City of Binghamton

Apparent Misappropriation of Parks and Recreation Department Funds

Report of Examination

Period Covered:

January 1, 2007 — January 5, 2013

2013M-169



Thomas P. DiNapoli

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State of New York Office of the State Comptroller

Division of Local Government and School Accountability

October 2013

Dear City Officials:

A top priority of the Office of the State Comptroller is to help local government officials manage government resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and Common Council governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard local government assets.

Following is a report of our audit of the City of Binghamton, entitled Apparent Misappropriation of Parks and Recreation Department Funds. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the General Municipal Law.

This audit's results and recommendations are resources for local government officials to use in effectively managing operations and in meeting the expectations of their constituents. If you have questions about this report, please feel free to contact the local regional office for your county, as listed at the end of this report.

Respectfully submitted,

*Office of the State Comptroller
Division of Local Government
and School Accountability*

Introduction

Background

The City of Binghamton (City) is located in Broome County and has 47,400 residents. The seven-member Common Council is the City's legislative branch. The Mayor is the City's chief executive officer and the Comptroller is the chief fiscal officer. The Second Class Cities Law governs City operations by outlining the powers and duties of City management, including those of the Comptroller and the Mayor. The Mayor is responsible for supervising, directing, and controlling the administration of all City departments. The Comptroller is responsible for auditing and paying vouchers, managing cash, processing payrolls, and overseeing all accounting and budgeting preparation for the City. The City employs a Deputy Comptroller and Treasurer to assist the Comptroller with his duties.

The City has numerous departments, including a Parks and Recreation Department (Department). The Department is operated by a Director of Parks and Recreation (Director). The former Director resigned in November 2012. A new Director was appointed on March 4, 2013. The City employs an Assistant Director of Parks and Recreation (Assistant Director) to assist the Director with all his duties. The Department also employs a senior typist who assists with the office duties.

The Department offers various adult recreation programs including volleyball, basketball, and softball leagues. It also operates various youth programs including baseball and softball leagues, and safety and summer fun programs. It also hosts a tennis tournament during the summer. The Department is responsible for maintaining and operating the City's parks, carousels, and swimming pools. The Department's total budgeted expenditures for the 2013 year were \$1.76 million.

John Whalen was a City employee for 39 years. He was scheduled to retire from his position as the Director of Parks and Recreation in March 2013 but resigned on November 27, 2012, when irregularities related to cash receipts and disbursements were identified that were directly related to his operation of the Department. On April 11, 2013, John Whalen was charged with grand larceny in the second degree, a class "C" felony. An investigation continues with the Broome County District Attorney's office and the City of Binghamton Police Department.

Objective

The objective of our audit was to determine if the former Director properly deposited receipts and that disbursements were for appropriate Department purposes. Our audit addressed the following related question:

- Did the former Director ensure that receipts were deposited timely and intact and disbursements made were for proper Department purposes?

**Scope and
Methodology**

We examined the internal controls over the Department’s cash receipts and disbursements for the period of January 1, 2007, to January 5, 2013. Specifically, we reviewed the cash receipts and disbursements transactions for the bank account controlled by the former Director.

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit are included in Appendix C of this report.

**Comments of
Local Officials and
Corrective Action**

The results of our audit and recommendations have been discussed with City officials and their comments, which appear in Appendix A, have been considered in preparing this report. City officials generally agreed with our recommendations. Appendix B includes our comment on the issue raised in the City’s response letter.

City officials have the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and forwarded to our office within 90 days, pursuant to Section 35 of the General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. We encourage the City Council to make this plan available for public review in the City Clerk’s office.

Apparent Misappropriation of Program Moneys

The proper accounting for moneys collected on behalf of the City is incumbent on each respective department head and the City's Comptroller. The City Code stipulates that all moneys collected by any officer or employee be transferred to the chief fiscal officer within one day of receipt. The Code further assigns the Comptroller the responsibility for internal controls over the City's financial activities.

The former Director operated an extensive adult and youth recreation program from which he misappropriated program funds totaling at least \$107,984. Specifically, we found that the City could not account for \$36,234 in fees that should have been paid for the various recreation programs and employee uniforms. In addition, the former Director made \$71,700 in payments that either did not appear to be related to the program, or were to his family members or his own personal creditors, or were for other purposes not related to proper program functions.

The former Director deposited more than \$340,000 and made 429 disbursements totaling approximately \$344,000 from a separate bank account titled "Binghamton City Sport Leagues" for the period of January 1, 2007, to November 27, 2012.¹ He was one of the two signatories on this account,² and the bank statements were mailed to his home address. Even though the account was titled in the City's name and used the City's Federal identification number, no one in the City knew this bank account existed because none of this activity was recorded in the City's accounting records. On November 27, 2012, City officials transferred the balance of \$5,860 to the City's operating account.

Receipts

Department staff collected fees for various adult recreation programs, tennis tournament registrations, and sponsorships for the City's youth recreation programs. The staff placed the collections in an envelope that the former Director would then deposit into a bank account. In addition, Department staff rarely documented these collections adequately, and no one outside the Department provided any oversight of this financial activity as it remained outside of the normal financial routines of the Comptroller's Office. Additionally, seasonal employees had to purchase uniform shirts from the former Director. However, we did find that moneys collected for two recreation programs (pool fees and registration fees for a safety program for pre-kindergarteners and kindergarteners) were properly remitted to the City Treasurer and deposited into a City bank account.

¹ As of January 1, 2007, there was a beginning balance of almost \$6,450 in a separate bank account titled "Binghamton City Sport Leagues."

² We only found checks with the former Director's signature, not the other signatory.

We reviewed all available documentation related to Department cash receipts for the audit period.³ The Department maintained team rosters or schedules for the majority of the activities. In addition, for the tennis tournaments, registration forms were on file. There were no cash receipt records for the purchases of uniform shirts. Table 1 shows our comparison of the amounts to be collected (based on team rosters or schedules) to amounts paid by those teams (based on team confirmations or City records), to amounts actually deposited.

Table 1: Recreation Department Revenues and Receipts 2007-2012				
	Amount to be Collected	Amount Paid	Amount Deposited^a	Shortage
Softball	\$259,155	\$259,150	\$246,510	(\$12,645)
Youth Sponsorships	\$40,200	\$26,025	\$26,025	(\$14,175)
Basketball	\$23,050	\$23,030	\$20,775	(\$2,275)
Uniform Shirt Sales	\$13,347	n/a	\$6,594	(\$6,753)
Volleyball	\$10,980	\$10,955	\$10,925	(\$55)
Tennis Tournament	\$1,098	\$868	\$767	(\$331)
Totals	\$347,830	\$320,028	\$311,596	(\$36,234)

^a These deposits only include those related to the specific program listed within the Department when we could find records. Deposits appeared in the deposit composition that could not be traced back to records in the Department. Therefore, we could not determine that all of these items were properly deposited. These deposits included repayments of loans, fees for basketball camps and clinics, donations, and purchases of tee-shirts.

We also found that money was deposited that was not related to any recreation program. Instead, these were repayments totaling \$1,240 from two departmental employees for loans made to them (see Disbursements section) and repayments totaling \$2,500 from one the former Director's sons for loans made to him. Additionally, the former Director deposited \$420 from his personal account and approximately \$400 was deposited from two other organizations, the Southern Tier Football Association and St. John's Catholic Youth Organization, for which he served as Treasurer.

Disbursements

We reviewed all available documentation related to Department disbursements for the audit period.⁴ The former Director drew 429 checks and made other withdrawals, totaling more than \$344,000, from the same bank account in which he deposited money. While some of these disbursements appeared to be related to expenditures of the various recreation leagues (based on the vendors' names), many disbursements were not. Seventy-one payments, totaling approximately \$112,900, were supported by invoices and other documentation indicating that they were legitimate Department expenditures. The remaining 358 disbursements, totaling \$231,260,

³ See Appendix C for details of the information reviewed

⁴ See Appendix C for details of the information reviewed

were not supported. These included 240 disbursements, totaling approximately \$71,750, which did not appear to be legitimate City expenditures. For example, we found the following:

- Twenty-seven payments, totaling \$9,100, were made to the former Director's sons.
- Five payments, totaling \$1,900, were made to two departmental employees.
- Forty-seven payments, totaling \$17,900, were made to the former Director's mortgage company.
- Eight payments, totaling \$3,500, were made to a student loan company for the former Director's son's loans.
- Six payments, totaling \$2,200, were made for the former Director's car lease.
- Four payments, totaling \$4,200, were made to a real estate company for a summer rental for the former Director's vacation home.
- Forty-two checks, totaling \$7,200, were written to cash or were blank.
- Four wire transfers, totaling \$6,950, were made to the former Director's son, and one direct withdrawal, for \$900, was made with no supporting documentation.
- Fifty-four payments, totaling \$7,500, were made to organizations that may be related to the recreation programs; however, the former Director was also the Treasurer of these organizations.
- Forty-two payments, totaling \$10,400, were made to the former Director's personal vendors, including a cell phone company, insurance company, gas station, church, hospital, and flower shop and for credit card payments and bank service charges.

This fraudulent activity occurred because City officials did not provide sufficient oversight of the Department's financial activities because the bank account remained outside of the normal financial routines of the City Comptroller's Office. Instead, officials relied solely on the former Director's integrity as the control over accounting for program receipts and disbursements.

The City Attorney explained that a seasonal employee of the Department attempted to purchase a uniform shirt and was told by the Assistant Director that the Department did not accept checks. The City Attorney and Director of Personnel conducted an investigation, then met with the former Director and requested supporting documentation for certain Department financial activities. After several months, the former Director relinquished his position with the City. City officials have since closed the bank account that the former Director used and began to implement oversight procedures of the Department's financial activities. Although we did not audit compliance with the new procedures, the Department appears to be in the process of implementing better internal controls.

Recommendations

1. City officials should take appropriate action to recover the unaccounted for moneys.
2. All receipts and disbursements should be deposited and disbursed from a bank account that is controlled and monitored by the City Comptroller's office. This will ensure that all receipts are properly deposited timely and intact and that disbursements go through the audit process and are for proper Department purposes.
3. All City bank accounts should be established by the City

APPENDIX A

RESPONSE FROM LOCAL OFFICIALS

The local officials' response to this audit can be found on the following pages.



Office of the Mayor

Mayor, Matthew T. Ryan

Executive Assistant to the Mayor, Kyle R. Seeley

Secretary to the Mayor, Rebecca Browne

[REDACTED]
Division of Local Government
NYS Comptroller Office
New York State Office Building
44 Hawley Street, Room 1702
Binghamton, NY 13901

Re: Draft Audit 3013M-169

Dear [REDACTED]:

Thank you for providing the City of Binghamton an opportunity to comment on the draft audit of the City of Binghamton's Parks and Recreation Department (the "Department"). The City has a few comments and clarifications that it believes should be included in the audit.

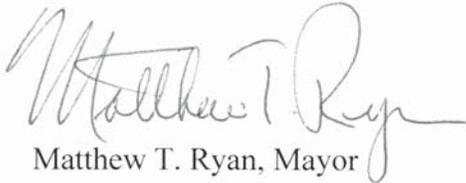
It should be clear that the audit was initiated at the request of the Broome County District Attorney's Office and the City of Binghamton in response to a criminal investigation regarding embezzlement of public funds by the City's former Director of Parks and Recreation, John C. Whalen. The City specifically requested that the audit be conducted for at least the last ten years; however the limited time frame of the audit, from January 1, 2007 to November 27, 2012, was dictated by the applicable criminal statute of limitations.

The draft audit, page 6, states "no one from the City knew this bank account existed" and page 8 notes this "fraudulent activity occurred because City officials did not provide sufficient oversight of the Department's financial activities because the bank account remained outside of the normal financial routines of the City Comptroller's Office." The City believes it is important to note that the total Department budget in 2013 was 1.7 million dollars. Based on the accounting in the draft audit, this bank account was handling about \$70,000 per year, of which almost \$50,000 per year was expended for legitimate adult program expenses. To add to the confusion, there were many legitimate expenses included in the City's adopted budget which mirrored the purposes of this undisclosed bank account. As a result, not only was the City unaware of the Binghamton City Sport Leagues account, it was unnoticed in the City's annual independent audit and a full City audit performed by the NYS Comptroller which included the multi-year period of January 1, 2008 through August 17, 2010. Nonetheless, the City agrees that there was a long time failure to redundant checks and balances are necessary for all City Departments and personnel who handle money from the public.

See
Note 1
Page 12

The City is gratified that the draft audit identifies the former Director's scope of embezzlement from January 1, 2007 to November 27, 2012. The draft audit confirms that what initially appeared to be a small inconsistency in the Department's procedures was really an extensive and intentional theft from the residents who paid to participate in adult programs and to sponsor teams.

Sincerely,

A handwritten signature in black ink that reads "Matthew T. Ryan". The signature is fluid and cursive, with the first name being the most prominent.

Matthew T. Ryan, Mayor

APPENDIX B

OSC COMMENT ON THE CITY'S RESPONSE

Note 1

Our previous audit dated July 2011 focused on significant control weaknesses and discrepancies in the City's parking operations and the Treasurer's Office. Our audit testing included tracing money received by the Treasurer's Office from third-party vendors and three City departments. Cash receipts from the Recreation Department were not included in that audit.

APPENDIX C

AUDIT METHODOLOGY AND STANDARDS

Our overall objective was to assess the City of Binghamton's Parks and Recreation Department's cash receipts and disbursements processes for the period January 1, 2007, to January 5, 2013. To accomplish the objective of our audit, we performed the following procedures:

- We interviewed the Assistant Director, senior typist, and City Attorney to gain an understanding of the Department's internal controls over cash receipts and disbursements.
- We obtained the rosters and schedules for the adult volleyball, basketball, and softball leagues and documented the captain names, addresses, and, when available, the e-mail addresses for the period January 1, 2007, to December 2012. We also obtained the sponsorship listing for the youth baseball and softball leagues, which included mailing addresses for our audit period. We mailed out confirmation letters to these addresses inquiring how much was paid to the Department for this same time period along with the date and type of payment. If we did not receive a confirmation, we sent out e-mails, if an email address was available, requesting the same information. We attempted to trace this information to the deposit composition details obtained from the Broome County District Attorney's office for January 1, 2007, to November 27, 2012, to ensure the proper amount was deposited.
- We used the same information from the rosters and schedules for the adult leagues, rosters and schedules from the youth softball and baseball leagues, and registration forms from the tennis tournaments to determine how much should have been received and deposited by the Department and attempted to trace those amounts to the deposit composition details for January 1, 2007, to November 27, 2012, to verify that moneys had been deposited timely and intact.
- Using the deposit composition details from January 1, 2007, to November 27, 2012, that were not traced to in the previously mentioned tests, we attempted to determine the reason for these deposits.
- We determined the total number of seasonal employees required to purchase uniform shirts from the payroll records for January 1, 2007, to December 2012 and calculated the total amount that would have been paid by these employees. We then attempted to trace that to the deposit composition to ensure it was deposited intact.
- We obtained the canceled check images and bank statements from the Broome County District Attorney's office for January 1, 2007, to November 27, 2012, for the account titled "Binghamton City Sports League" and documented all disbursements including wire transfers, service charges, and withdrawals. We attempted to trace all 428 disbursements to supporting documentation to determine if they were legitimate Department charges. We also attempted to contact vendors for supporting documentation.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

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Holmes, Angela

From: Pelletier, Jeremy
Sent: Monday, September 23, 2013 2:00 PM
To: Teri Renna; Jerry Motsavage-external; johnmatzo6thdistrict@gmail.com; wberg7@stny.rr.com; lela51380@yahoo.com; Joseph Mihalko; cpapastrat1@gmail.com
Cc: Holmes, Angela
Subject: FW: City Council invitation to attend work session on October 7

Dear City Council,

I asked Bijoy Datta and George Bagnetto if they would be able to attend the City Council Work Session on October 7 to discuss Broome County Transit. Please see their responses below.

Regards,

Jeremy Pelletier, MPA
Deputy City Clerk
Phone: 607-772-8715
Fax: 607-772-7155
jcpelletier@cityofbinghamton.com

From: Datta, Bijoy [<mailto:BDatta@co.broome.ny.us>]
Sent: Monday, September 23, 2013 1:27 PM
To: Pelletier, Jeremy
Subject: RE: City Council invitation to attend work session on October 7

We'd be happy to answer any reasonable questions that City Council members have about B.C. Transit in advance of the 10/7 meeting.

But, since the City doesn't have any role in the operations or finances of B.C. Transit, and any related resolutions that are considered by City Council would be solely for appearances rather than real action, we won't be appearing in person.

Bijoy

=====
Bijoy Datta, Deputy County Executive
Office of Broome County Executive Debra A. Preston
P.O. Box 1766, Binghamton, NY 13902
607.778.2939
bdatta@co.broome.ny.us
www.GoBroomeCounty.com

Jeremy,

I will not be able to attend.

George H. Bagnetto
Commissioner
Department of Public Transportation

