



# 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 October 21, 2013

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

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
6:00pm	Planning	Webb	<b>Discussion:</b> Introduction to Form-Based Code <b>RL 13-165:</b> Declaring Lead Agency for Comprehensive Plan & Form-Based Code	1-34	Lee Einsweiler, Melissa Enoch
6:30pm			<b>Discussion:</b> Update from the Community Development Advisory Committee		Marty Doorey, Jennifer Taylor
6:45pm	Planning	Webb	<b>RL 13-172:</b> Sale of 9 Way Street to Sarah Edwards for \$100	35-69	Sarah Edwards
7:00pm			<b>Discussion:</b> Confronting Racism in Downtown Binghamton		Jennifer Stoever-Ackerman
7:15pm	Finance	Webb	<b>RL 13-176:</b> Request to Approve BLDC Loan to Mountain Fresh Dairy	80-88	Merry Harris
7:30pm	Finance	Webb	<b>RL 13-175:</b> Various Transfers in Department of Parks & Recreation 2013 Budget	76-79	Bill Barber
7:45pm			<b>Discussion:</b> Broome County Land Bank		Tarik Abdelazim
8:15pm	Finance	Webb	<b>RL 13-174:</b> Budget Transfer for Repairs at Lee Barta Community Center	71-75	Kyle Seeley
8:30pm	Employees	Berg	<b>RL 13-173:</b> Establishing Standard Work Day for Appointed & Elected Officials	70	Kenneth J. Frank
8:45pm			<b>Discussion:</b> Review Committee Reports & Pending Legislation		Council President Renna

### 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:  
13-165  
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: 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

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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 4<sup>th</sup>. 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>B. Government Approvals Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
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**

<b>C.1. Planning and zoning actions.</b>	
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"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
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):	

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**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 (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ 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.

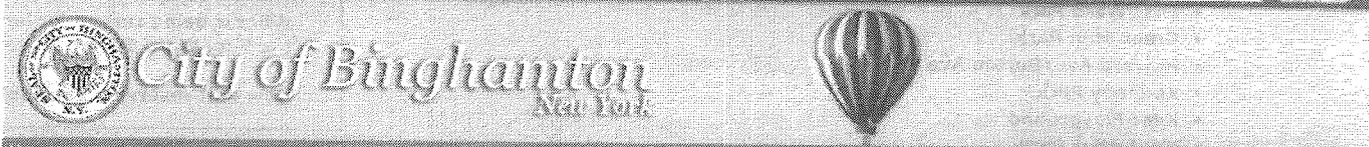
Applicant/Sponsor Name Teri Renna Date \_\_\_\_\_

Signature \_\_\_\_\_ Title Council Member, 3rd District.

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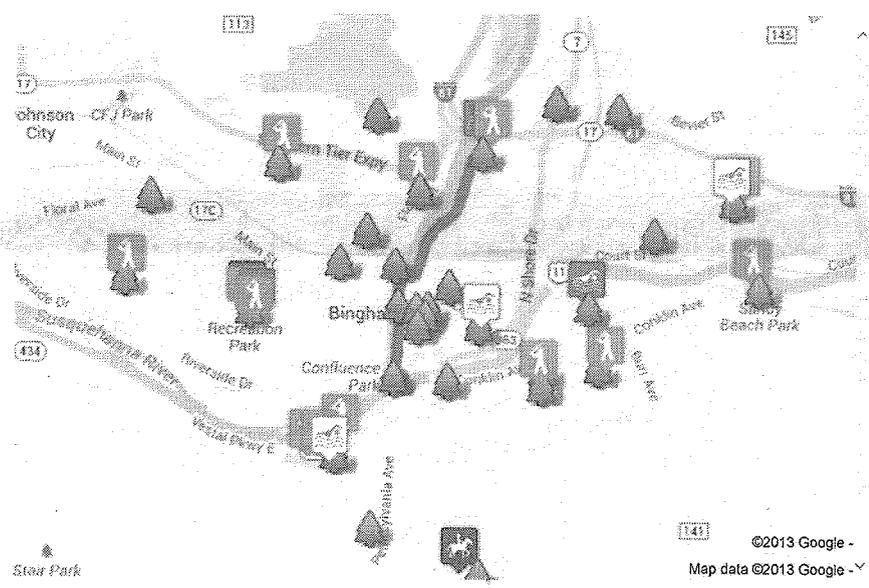
## City Parks, Pools & Fields

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?

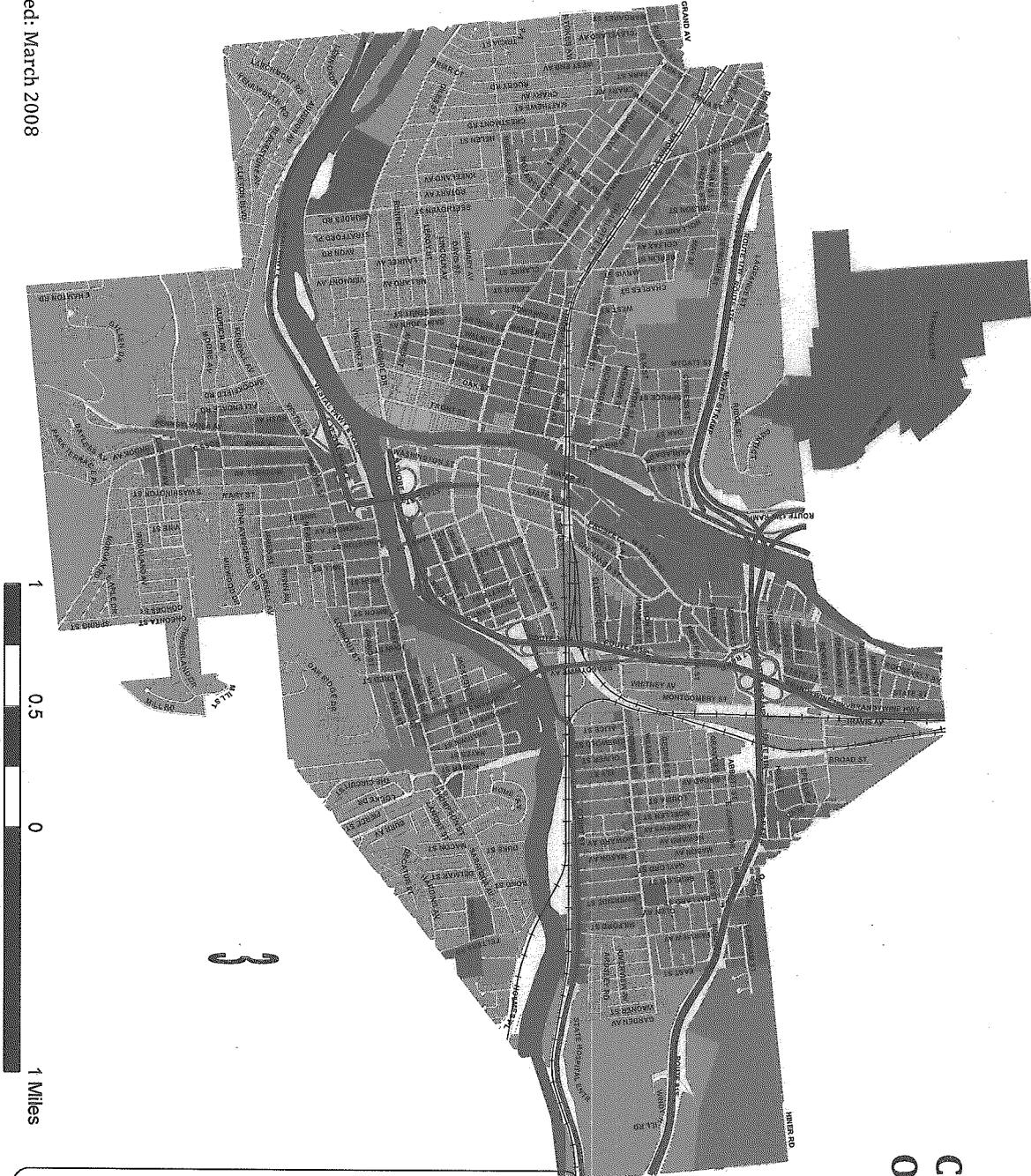
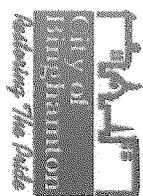
• What is being served for lunch at the First Ward Senior Center?

• How do I reserve a pavilion?

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Binghamton City Hall, 35 Hawley St, Binghamton, NY 13901 • [Map](#) • [2013 Assessment Roll](#)

# 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.

	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflouorocarbons (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.

(See Part 1. C.2.c, E.1.c., E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

NO

YES

	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)

If "Yes", answer questions a - c. If "No", go to Section 13.

NO

YES

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

NO

YES

	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"/>

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**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:

13-172

Date Submitted:

10/8/13

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: Angela Holmes

Title/Department: City Clerk

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

### RL Information

Proposed Title: An Ordinance authorizing the sale of 9 Way Street to Sarah Edwards for \$100

Suggested Content: Approved by the Board of Estimate and Apportionment on October 2, 2013

### 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

Date: 9/9/13

Proposal for 9 Way Street Binghamton, NY

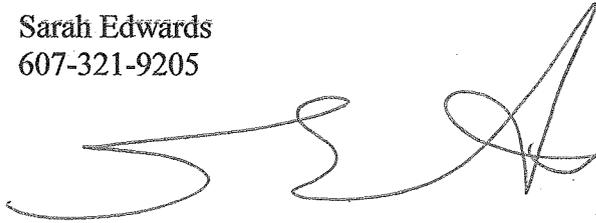
I, Sarah Edwards, propose to purchase 9 Way Street from the city of Binghamton for \$100.00. The city of Binghamton will demolish the existing house on the current property.

My plans are to develop 9 Way St. into green space as a side yard to 11 Way. I have recently been approved for the One Dollar Healthy Home Project in which I have been awarded 11 and 13 Way Street. Attached is my accepted proposal, in which, 9 Way Street is greatly needed for yard space for 11 Way Street. 9 Way St. will act as green space and yard, 11 Way St will become my single family residence, 13 Way St will be developed into a garage apartment as proposed.

I am willing to invest over \$250,000 into combining three blighted city lots into my home in order to raise my family and bring life back to the community. Hopefully the committee understands the importance of adding 9 Way to my project, due to the fact that there is not adequate green space affiliated with 11 and 13 Way.

Thank you for your time and efforts in helping me build a future home for my family.

Sarah Edwards  
607-321-9205

A handwritten signature in black ink, appearing to be 'SE', written over a horizontal line.



# Department of Planning, Housing, & Community Development

*Mayor, Matthew T. Ryan*  
*Director, Tarik Abdelazim*

May 15, 2013

Sarah Edwards  
3107 Malverne Road  
Endicott, NY 13760

Dear Ms. Edwards:

I am pleased to report that your proposed development project at 11 and 13 Way Street and 118 Liberty Street under the city's "One Dollar Healthy Homes" initiative has been unanimously selected by the review committee as the winner.

On behalf of the administration, I want to personally thank you for your creative proposal, and for your proposed investment in our community. The City is eager to partner with you over the next year to successfully carry out your redevelopment project.

This letter is to serve as formal notification of the review committee's decision, and we will be making the winning proposals public as early as next week. As indicated in the Request for Proposals, City Council must formally authorize the sale of properties to winning applicants on Wednesday, May 22, 2013. We anticipate issuing a news release prior to that meeting to announce the winners of the "One Dollar Healthy Homes" initiative, and will include a very brief summary of your proposed project.

Once City Council approves the sale, a member of our Housing Division will contact you to discuss next steps. We have a commitment to maintain steady momentum on these projects, as we greatly respect and appreciate your investment.

Once again, on behalf of Mayor Ryan and the Housing team, I want to congratulate you on submitting a winning proposal, and for being part of a comprehensive effort to strengthen and improve our neighborhoods throughout our great city.

Please feel free to reach out to Steve Quinn, Housing Supervisor, if you have any questions about this letter and the process.

Sincerely,

Director, PHCD



# *Just Sarah*

**Sarah Edwards**  
General Contractor  
Fully Insured

**607-321-9205**

My name is Sarah Edwards, I am a 44 year old single mother who has resided in Broome County most of my life. I am currently an insured general contractor who has been in residential remodeling for 17 years. I have obtained and managed 26 properties with 34 rental units successfully over the years. I have done interior demolishing work on 4 downtown commercial properties, as well as designed and remodeled the interior. I have 4 different subcontractors I have worked with for over ten years on all my projects. They will continue on this one with me. Each one is certified and insured in their particular trade. My goal is to obtain 3 of the 7 properties in the "One Dollar Healthy Home Initiative" project. I will utilize one property as a rental unit and the others as my home.

My plan with this project is a little different than previous jobs. I will be video tape recording the entire project. I want a documentary to show you actually can benefit from a city grant program. I am incorporating the local people in the project with the hopes of eliminating blight. For example I will use 5-10 people who live in the area who are unemployed with no real trade. By the completion of the first house they will know some basics, for example: how to do rip and gut safely and efficiently, replace a window and door, put in a toilet, replace shut offs, sheet rock, paint, etc.. Each one of my subcontractors will take one of them under their wing for the job with the option of being hired as a laborer after completion. At the end of the project, hopefully, two of the locals will live in the rental and one will be paid to manage the property. I believe this plan will help to promote healthier neighborhoods due to the fact these guys or girls are proud of their accomplishments, are being paid for their hard work, and will hopefully take the skills learned and use them in the neighborhood. The other hope for the city is to boost homeownership. I do not own my home. Being self employed for so many years it has been a challenge to do so. This is a perfect opportunity for me to own my home instead of filling someone else's pockets with rent money.

This project is perfect for me.

## PROPOSAL FOR 9-11-13 WAY STREET BINGHAMTON

I am proposing turning all three-city lots into one, which I will make my residence. Nine Way Street is up for demolish by the city of Binghamton. Eleven Way Street will be kept as a single family home in which I will live. Thirteen Way Street will be demolished at my expense and replaced with a two car garage with either living quarters for my son or storage space on second level. Presently there is a shared drive way for eleven and thirteen Way Street, I will utilize this as the entrance to the new communal property. I wish to develop the soon to be vacant lot of nine Way Street as green space once the properties are adjoined. A privacy fence will alien three sides of the properties to unify the lots.

Attached are some estimates for supplies and labor to receive some ideas of cost and product quality. I will be mostly working with Home Depot due to the relationship and discounts I have encored over the years. More detailed lists will be provided upon request.



**City of Binghamton**  
**REQUEST FOR PROPOSALS**  
**“One Dollar Healthy Homes Initiative”**  
January 18, 2013

**INTRODUCTION**

The City of Binghamton is seeking proposals for its “One Dollar Healthy Homes Initiative,” in which applicants may purchase a lot for \$1.00 and receive up to \$100,000 in grant funding to develop residential properties as part of the city’s goal to eliminate blight, promote healthier neighborhoods, and boost homeownership.

**RESIDENTIAL STRUCTURES**

The following residential lots have structures on them. There are **two eligible development project options** for each residential structure:

- Option #1: Complete rehabilitation of the existing structure; OR
- Option #2: Demolition of the existing structure and the new construction of a single family or two-family residence.

The residential lots are as follows:

- 13 – 13.5 Hancock Street
- 118 Liberty Street
- 92 Liberty Street
- 30 Pearne Street
- 45 Brooke Avenue
- 11 Way Street
- 13 Way Street

Each parcel above will be sold for \$1.00, and each sale comes with up to \$100,000 in grant funding that can be applied toward an eligible project.

**RESIDENTIAL VACANT LOT**

The following residential parcel is a vacant lot, and the **only eligible development project option** is the new construction of a single family or two-family residence.

- 23 Alfred Street

The city also owns the adjacent vacant lot at 32 Evans Street, and development proposals for 23 Alfred Street may include incorporation of the lot at 32 Evans Street, with a commitment to merge the two lots into one residential parcel.

The residential lot above will be sold for \$1.00, and comes with up to \$100,000 in grant funding that can be applied toward an eligible project.

assess the rehabilitation needs. The schedule for the property inspections are as follows:

- **30 Pearne St, 92 Liberty St, 118 Liberty St** will be held on January 29, 2013 11:00am -1:00pm
- **13.5 Hancock St** will be held on January 30, 2013 11:00am-1:00pm
- **45 Brooke Ave** will be held on January 31, 2013 11:00am- 1:00pm
- **11 Way and 13 Way Street** will be held on February 1, 11:00am – 1:00pm

Based on staff availability, City may agree to additional sites visits by appointment for the following week only (February 4 – 8) during regular work hours. There will be no scheduled appointment time for the vacant lot. All potential applicants must sign a City of Binghamton waiver before entering any of the above buildings.

*All interested parties must sign a City of Binghamton waiver sheet before entering any of the above structures. Waivers will be provided by City Housing staff, and available on-site.*

#### **AWARDING PRIORITIES:**

Priority consideration will be given to proposals that meet one or more of the following criteria:

- Individuals, families or businesses affected by the 2011 federally-declared Southern Tier flood disasters.
- Uses consistent with the Restore NY Application, including: development by flood victims, owner occupancy, lot expansion, rental housing, and sale of the developed property.
- Demonstrated development experience or use of contractor, developer or homebuilder.
- Development projects that include special features, such as energy efficiency standards, green building materials, sustainable systems, healthier building products, and universal design standards.

All proposed uses must be consistent with the City of Binghamton zoning for the site location, and winning applicants will be required to secure necessary approvals and permits.

#### **AVAILABILITY OF THIS FORM:**

The City of Binghamton Restore NY Site Development Proposal application is available for download at the City's website at [www.cityofbinghamton.com](http://www.cityofbinghamton.com).

A hardcopy of the form can be obtained from the City of Binghamton Department of Planning, Housing and Community Development, 4th Floor, City Hall, 38 Hawley Street, Binghamton, NY. Only one copy of the form will be provided per visit. Forms will not be provided by mail, electronic mail or fax.

#### **ADDITIONAL QUESTIONS**

Request for additional information or questions about this RFP and the process should be directed to:

Steve Quinn, Housing Supervisor  
City of Binghamton Housing Department – Fourth Floor  
38 Hawley Street  
Binghamton, NY 13901  
PH: 607-772-7028  
Email: [srquinn@cityofbinghamton.com](mailto:srquinn@cityofbinghamton.com)

**APPLICANT**

Name: Sarah Edwards

Mailing Address: 3107 malverne Rd

City: Endicott State: NY Zip Code: 13760

Cell Phone: (607) 321-9205 Secondary Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**PROJECT DESCRIPTION [5 POINTS]**

**Project Type:**

- Residential Rehabilitation
- Demolition and New Residential Construction
- New Residential Construction (vacant lot)

Site Address (must be an address listed on page 1 of this application): 1143 Way ST.

Basic Project Description: Please provide a basic project description.

Restore existing structure to single family house  
obtain property to the left of house after city demo  
hopefully merge

**Project**

1. Is the applicant a contractor, real estate developer or homebuilder or has the applicant retained a contractor, real estate developer or homebuilder for the project? [5 Points]

YES  NO

If Yes, please provide NYS DBA number: 2013000131

2. What is the applicant's interest in the site (choose one)?

- Owner-Occupancy [20 Points]
- Rental [10 Points]
- Other \_\_\_\_\_ [5 Points]

3. Did the applicant suffer real property loss or structural damage as a result of the federally-declared 2011 Southern Tier flood disasters? [5 Points]

YES  NO

If YES, please explain: \_\_\_\_\_

N/A

**SCOPE OF WORK** [20 Points] Provide a detailed job description and proposed site plan. Indicate any special features, such as energy efficiency standards, green building materials, sustainable systems, healthier building products, universal design, etc. Pictures and sketches are welcome, but not required.

11 way:

- Demo interior only utilizing foundation + partial structure
- Tear off existing roof replace damaged rafters add new roof, fascia, soffits, gutters
- Remove existing siding, leveler board, vinyl siding, wrap windows
- Landscaping; debris removal, grass seed, level, trees, bushes, green space
- Exterior; remodel front porch; pressure treated lumber for back porch
- Drive way newly paved pad in front of garage
- Windows; 33 windows 5 exterior doors with storms
- Heating 95% eff. 100K BTU furnace or 8670 boiler 140K BTU
- Plumbing all new pvc pex according to code
- Electrical NEC code 200A base
- Interior; based on 13 rooms; insulation, sheet rock, sub floors
- Interior finishing; (13 rooms) light fix, paint, molding etc, flooring
- 1 Kitchen, ~~with~~ cupboards, countertop sink, appliances energy efficient
- 2 1/2 - 3 bathrooms - water saver flush toilets, showers tubs sinks

13 way:

- Demo 13 way ST.
- Build garage 24 x 24 (2 car) 25 stories see attached for details
- Concrete pad frost wall back grade + fill

9 way: green space see attached for details (upon request)

Because the City of Binghamton is seeking to leverage private investment in the Restore NY renovation and new construction projects, all proposed budgets must reflect 25% of the total project coming from private investment. All projects should easily meet this goal, as any major rehabilitation or new construction will exceed \$125,000 (\$100,000 Restore NY grant award + minimum of 25% personal equity commitment).

In order to meet this private investment requirement, applicants will be required to provide proof of the availability of private funds or appropriate financing. Proof of the availability of private funds or appropriate financing must be furnished upon request by the City of Binghamton Restore NY Site Development Committee.

PRE-DEVELOPMENT (SOFT COSTS)			
ITEM	COST	FUNDING SOURCES	
		RESTORE NY	OTHER SOURCES
<del>Interior Demolition</del>	<del>20,000.00</del>		
TOTAL PRE-DEVELOPMENT COSTS			
DEVELOPMENT (HARD COSTS)			
ITEM	COST	FUNDING SOURCES	
		RESTORE NY	OTHER SOURCES
Exterior - Roof, siding, gutters, soff front porch, back porch, fascia	35,000.00 →		35,000.00
Exterior green + driveway	10,000.00 →		
Windows + exterior doors 50	16,000.00 →		
Plumbing + Heating	26,000.00 →		26,000.00
Electrical	10,000.00 →		
Interior 12 Rooms	10,000.00 →		
Interior finishing 12 rooms 2 stair wells 1 kitchen	21,000.00 →		18,000.00
3 Bath 2 1/2-3	11,000.00 →	200,000.00	79,000.00
Interior Demolition	10,000.00 →		
TOTAL DEVELOPMENT COSTS			
of unforeseen costs	50,000.00 →		
TOTAL PROJECT COSTS			

all upfront costs  
come from private  
lender (see attached)

Demolish at 13 way street 20,000 →  
Rebuild on lot & car garage w/ concrete pad 40,000 →

TOTAL PROJECT COSTS \$ 279,000.00  
9-11-13 Way STREET



**PROJECT REFERENCES [15 points]**

Provide the name, address and contact information of three references that the City may contact to verify the development experience of the applicant, or the experience of the licensed/qualified contractor, real estate developer or homebuilder retained by the applicant.

**Reference 1 [5 Points]**

Name: Richard David  
Mailing Address: 45 Court Street  
City: Binghamton State: NY Zip Code: 13901  
Cell Phone: (607) 206-7193 Secondary Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**Reference 2 [5 Points]**

Name: Sherry Eaton  
Mailing Address: 116 Washington St.  
City: Binghamton State: NY Zip Code: 13901  
Cell Phone: \_\_\_\_\_ Secondary Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**Reference 3 [5 Points]**

Name: Berdy + Bill Levine  
Mailing Address: 182 BROWN Rd.  
City: Vestal State: NY Zip Code: 13850  
Cell Phone: (607) 760-9665 Secondary Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

## PROJECT CONDITIONS

*Please Review and Sign Project Conditions/Conflict of Interest Questionnaire.*

**BACKGROUND:** In 2006 the City of Binghamton applied for funding under the New York State Empire State Development Corporation (ESDC) Restore New York Round II and III program and was awarded funds for the demolition, reconstruction and rehabilitation of properties throughout the city. The majority of the Restore New York grants consisted of the demolition of vacant houses that were deemed a hazard or blight to the residents of the City of Binghamton. Other portions of the grants shall be used for new construction or for the rehabilitation of existing houses.

Regarding the properties which require new construction of a residential home or the rehabilitation of an existing house, the applicant is required to provide a private investment towards the site development that accounts for at least 25% the total project budget.

**PLEASE NOTE:** This Request for Proposal does not constitute an offer of assistance.

**TERMS:** Submit only one proposal per property listed on page one of this application. All proposals must be submitted using the City of Binghamton Restore NY Site Development Proposal form.

All proposals must be received by the due date indicated on page two of this form. No proposals will be accepted after the due date.

All correspondence regarding site development proposals must be provided in writing to the following address:

CITY OF BINGHAMTON HOUSING DEPARTMENT – FOURTH FLOOR  
38 HAWLEY STREET  
BINGHAMTON, NY 13901  
ATTN: RESTORE NY SITE DEVELOPMENT COMMITTEE

Proposals may be revised up to the due date listed on page two of this form. Revised proposals must be stamped *REVISED* and be completed by the original applicant. Revised proposals must be submitted on the City of Binghamton Restore NY Site Development Proposal form. A revised proposal must be made for the same property that was originally proposed.

Proposals may be withdrawn at any time by contacting the City of Binghamton, in writing, at the address listed above.

Applicants submitting proposals must review and sign the Terms and Conditions and Conflict of Interest Questionnaire section of the proposal.

**RECAPTURE TERMS:** The expenditure of all Restore NY grant funds must be consistent with the terms of the agreement between the City of Binghamton (grantee) and the NYS Empire State Development Corporation, ESDC (grantor). To this end, the City of Binghamton will require a Recapture Agreement and Mortgage for these Restore NY funds. The recapture amount is based on the time that has lapsed between when the grant funds were disbursed and when the violation occurred. The recapture amount shall be as follows:

- a) 100% of the disbursed amount if the violation occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;
- b) 80% of the disbursed amount if the violation occurred in the second full calendar year after the disbursement was made;
- c) 60% of the disbursed amount if the violation occurred in the third full calendar year after the disbursement was made;
- d) 40% of the disbursed amount if the violation occurred in the fourth full calendar year after the disbursement was made;
- e) 20% of the disbursed amount if the violation occurred in the fifth full calendar year after the disbursement was made.

A recapture of Restore NY funds will be initiated after any of the following violations:

- a) if the applicant sells or conveys any interest in property;
- b) if the applicant indicated owner-occupancy in their Site Development Proposal but then fails to *maintain residency in the house*; and
- c) if any other default exists under the Recapture Agreement and Mortgage.

Upon completion of the terms of the Recapture Agreement, the City of Binghamton will execute a Discharge of Mortgage to remove the lien on the property. All fees associated with the Recapture Mortgage and Discharge of Mortgage filed in the Broome County Office of the County Clerk is the responsibility of the applicant.

**TIMELINE:** Project must be finished within twelve (12) months of the date the Healthy Homes Project Development Agreement for the Restore NY Funds is executed. Failure to complete the project in a timely manner may deem the applicant ineligible for reimbursement of project expenses.

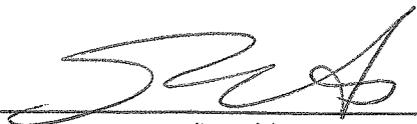
### ACCEPTANCE OF TERMS AND CONDITIONS:

Applicant hereby acknowledges that:

- This proposal is subject to review by the City of Binghamton Restore New York Site Development Committee. Submission of this proposal does not guarantee the purchase of the property from the City of Binghamton.
- Submission of this proposal does not guarantee financial assistance, if any, for the property indicated in this proposal.
- Upon review by the City of Binghamton Restore New York Site Development Committee, only one proposal per Restore New York project site may be selected. The City of Binghamton reserves the right to deny any or all proposals based on quality, content, project budget or proposed end-use of any or all of the Restore NY properties.
- Any required building permits, surveys, environmental tests, architectural drawings, site plans or other fees associated with the proposed development are the responsibility of the applicant. Note: Eligible pre-development fees may be included in the proposed project budget.
- The proposed end-use of the Restore New York properties will be monitored by the City of Binghamton.
- Where applicable, a Recapture Agreement and Mortgage will be executed between the applicant and the City of Binghamton to ensure that the intended end use of the property is maintained for no less than five years.
- Where applicable, all fees associated with the Discharge of Mortgage filed in the Broome County Office of the County Clerk are the responsibility of the applicant at the time such fees are due.

I hereby certify that I have read, understand and accept all the terms and conditions specific to the One Dollar Healthy Homes Initiative.

Dated, 3/17, 2013, made by:

  
Applicant(s) Signature

Page 50 of 50  
SARAH EDWARDS  
Applicant - Print Name

**CONFLICT OF INTEREST QUESTIONNAIRE:**

1. Are you presently, or have you been so within the last year, an employee or agent or consultant or officer or elected official or appointed official or business associate of:
  - a. The City of Binghamton \_\_Yes No
  - b. Any other agency receiving Restore NY funds? \_\_Yes No

If you have checked yes to either, please provide the following:

Agency: \_\_\_\_\_  
Department: \_\_\_\_\_  
Title Position: \_\_\_\_\_  
Association: \_\_\_\_\_

2. Do you presently have, or have you had, within the last year a family member or household member engaged as an employee or agent or consultant or officer or elected official or appointed official or business associate with:
  - a. The City of Binghamton \_\_Yes No
  - b. Any other agency receiving Restore NY funds? \_\_Yes No

If you have checked yes to either, please provide the following:

Name: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Agency: \_\_\_\_\_  
Department: \_\_\_\_\_  
Title Position: \_\_\_\_\_  
Association: \_\_\_\_\_

*If you have answered YES to either question 1 and/or 2, please complete the following questions.*

3. Do you, a family relative, a household member, or a business associate, exercise any functions or responsibilities with respect to Restore NY assisted activities?  
\_\_Yes No
  
4. Are you, a family relative, a household member, or a business associate, in a position to participate in a decision making process or gain inside information with respect to Restore NY assisted activities?  
\_\_Yes No

5. Are you, a family relative, a household member, a business associate, in a position to obtain a financial interest or benefit from a Restore NY assisted activity?

Yes  No

6. Do you, a family relative, a household member, or a business associate have an interest in any contract, subcontract, or agreement with respect to Restore NY assisted activities?

Yes  No

I hereby certify that all information provided in this document is true and complete to the best of my knowledge.

Dated, 3/17, 2013, made by:   
Applicant(s) Signature

SARAH EDWARDS  
Applicant – Print Name

## **FREQUENTLY ASKED QUESTIONS (FAQ'S)**

### ***What is Restore NY?***

Restore NY is a grant program, offered by New York State through the Empire State Development Corporation, providing funds to municipalities for blight removal, renovation of dilapidated properties and new construction.

***What properties are available for purchase for \$1 through the City of Binghamton Restore NY program?***  
The properties listed on page one of this Restore NY Site Development Proposal are available for purchase.

### ***How do I buy one of the properties?***

The City of Binghamton Restore NY properties are listed on page one of this Restore NY Site Development Proposal. A purchase offer is initiated by completing this proposal and submitting it to the City of Binghamton Restore NY Site Development Committee by the proposal due date (*see page two of this document for the due date and mailing address*). All proposals are reviewed by the City of Binghamton Restore NY Site Development Committee and one proposal is approved by the Committee for each property. The applicant will be contacted to complete the purchase. All property purchases are subject to approval by Binghamton City Council.

### ***Can I bid more than \$1 for the property I want?***

No. The properties listed on page one have a set sale price of \$1. The purpose of this Site Development Proposal process is to select the best planned use for the property, in conjunction with the City of Binghamton Restore NY program objectives.

***If my proposal is selected, will I be required to pay property and school taxes on the site I purchase?***  
Yes. Once you complete the purchase of the property you will be responsible for paying property and school taxes assessed on the property.

### ***I'm interested in the vacant lot. What can I do with the lot once I buy it?***

As indicated on page one, the only eligible development project for the vacant lot is new residential construction (single or two-family residence).

### ***If I buy a vacant lot in which a house was recently demolished, will my assessed value still include the value of the house?***

In some instances, the assessed value may still include the value of the house which was recently demolished. It will be the responsibility of the party who purchases the property to pursue a change in assessed value.

### ***Will my assessed value for a vacant lot be \$1?***

No. The City will assess each vacant lot at the fair market value for comparable properties.

### ***I'm interested in one of the properties. Will I be required to put money into the project?***

Yes, regardless of which eligible development option you pursue, there is a consistent matching requirement for all applicants. The City of Binghamton will be providing a grant award of up to \$100,000 in Restore NY funds. but the City is requiring that no less than 25% of the total project budget be private

project budget must be at least \$125,000. This applies to all eligible development options (rehabilitation; demolition and new construction; or new construction).

***Do I need to be a contractor to submit a proposal for one of the renovation houses?***

No, but the City of Binghamton Restore NY Site Development Committee is assigning a higher score for those applicants that either: (i) are a licensed/qualified contractor, real estate developer or homebuilder, OR (ii) have retained a licensed/qualified contractor, real estate developer or homebuilder.

***Will I be required to live in the house after I renovate or build it?***

If you indicate in your proposal that you will be the occupant of the house, then you will need to maintain occupancy for a minimum of five years to avoid a recapture of Restore NY funds. Priority is given to proposals in which the applicant intends to maintain owner-occupancy.

***If I am selected to do a renovation or new construction project, how will I receive the Restore NY money?***

If you are selected to develop one of the properties, you will first proceed with the purchase of the property from the City of Binghamton. After you have purchased the property and completed the development project (renovation; demolition and new construction; or new construction), the City of Binghamton will reimburse you for any eligible expenses you incurred up to the maximum Restore NY funding available. The reimbursement requests will be compared to the original budget submitted in this Site Development Proposal and should reasonably coincide. Payment will be made in a lump sum at the end of the renovation, which is defined by successfully obtaining a Certificate of Occupancy. Only under exceptional circumstances may the City consider issuing progress payments.

***My proposed budget for the site I am interested in developing shows my private investment. Will I be required to show proof that this financing is available?***

Yes. The City of Binghamton is seeking to leverage private investment in the Restore NY renovation and new construction projects, requiring at least 25% of the total project coming from private investment. In order to meet this requirement, the project budget on page seven of the Site Development Proposal must show the source of private investment in the project. Proof of the availability of private funds or appropriate financing must be furnished upon request by the City of Binghamton Restore NY Site Development Committee.

***Is there a time schedule in which work must be completed?***

Yes. In this Site Development Proposal you will be required to provide a time schedule for the work proposed. This schedule must be adhered to as closely as possible. Changes to your proposed time schedule must be provided to the City of Binghamton Housing Department in writing. No proposal can exceed 12 months for development without prior authorization from the City of Binghamton Housing Department.

***Will my proposed time schedule be monitored?***

Yes. The City of Binghamton Housing Department will monitor the timeliness of work on Restore NY projects. Extended and unreasonable delays will result in the forfeiture of funding for the project.

***I am not a City of Binghamton resident. Can I submit a proposal for a Restore NY property?***

Yes. Proposals can be submitted by non-residents of the City of Binghamton. Proposals are scored based on the applicant's interest in the site, proposed end use and development capacity.

11 Way St

Option: 1 Forced Hot Air System

Furnish and install one (1) York 95% single stage, 100KBtu furnace, PVC venting, all duct work to rooms unit will be sized with a Heat Load Calculation upon entrance to house, install all gas piping which will be bonded to electrical per Code, install supply and return ducts, all registers, balance system per room size for proper heating and air flow, install 4" Air Bear filter, system comes with lifetime heat exchanger warranty and 10 year parts from York. Approximate total cost of above:  
\$5200.00

Same as above but with a York 2 stage burner, PSC motor, 100KBtu, 96%= \$ 5500.00

Option: 2 Burnham ESC5 direct vent boiler with indirect domestic hot water

Furnish and install one (1) Burnham ESC5 140KBtu, 86%, boiler with primary/secondary piping scheme, one PurePro indirect 41gal. water heater, install zone controller for 4 zones with domestic hot water priority control, zone valves, pumps sized per chart, install outdoor reset control, install 3/4" Heat Pex, install 3/4"x160' of baseboard fin tube, zone valves, air separator, expansion tank and other necessary items.

Total cost of above is \$ 8700.00 this is just a Estimate as there no access to house, price could change.

---

11 Way St. House

Install new 200A meter base

New 4/0 SEC with new weatherhead, new SEC straps

New ground rod, all electrical bonded to gas lines per code

New 200A main panel board, 40 spaces, bonded to back panel

New wiring thought house 12/2 Romex

Wiring per NEC Code, outlets, switches, HVAC etc....

All circuits will be 20 amps unless code states different for appliances

Arc Fault breakers in bedrooms

GFI outlets in bathrooms and any other wet areas

All wiring secured per code

50A sub panel to garage with Sch80 pipe under ground as it will be going through driveway

Garage wired to NEC Code

Estimate for above is \$7800.00 this is a estimate as there is no access to house, price could change.

**QUOTE**

Store 1252 BINGHAMTON  
798 MAIN ST  
JOHNSON CITY, NY 13790

Phone: (607) 785-8614  
Salesperson: ERH0135  
Reviewer:

Name

**EDWARDS SARAH**

Home Phone

(607) 321-9205

**QUOTE**

SOLD TO

Address 3107 MALVERNE RD

Work Phone (607) 624-0224

*Wendy deWitt*

City ENDWELL

Job Description INTERIOR FINISH

*Fiberberg*

State NY

Zip 13760-5845

County BROOME

*DM White*

2013-04-02 18:52

Prices Valid Thru: 04/09/2013

**CUSTOMER PICKUP #1**

**MERCHANDISE AND SERVICE SUMMARY**

REF # W19 SKU # 0000-515-664 Customer Pickup / Will Call

We reserve the right to limit the quantities of merchandise sold to customers

**STOCK MERCHANDISE TO BE PICKED UP:**

REF #	SKU	QTY	UM	DESCRIPTION	PI	TAX	PRICE EACH	EXTENSION
R01	0000-924-751	3.00	EA	BEHR PPI EGG SHELL 2050 UPW 5GAL /	A	Y	\$125.00	\$375.00
R02	0000-299-237	2.00	EA	KILZ 2 PRIMER 20941 5GAL /	A	Y	\$76.41	\$152.82
R03	0000-258-631	2.00	EA	9 IN PLASTIC TRAY LINER 10PK - WHITE /	A	Y	\$5.97	\$11.94
R04	0000-262-114	6.00	EA	BEST 9 X 3/8 IN 50/50 ROLLER COVER /	A	Y	\$4.57	\$27.42
R05	0000-130-451	6.00	EA	9IN. METAL ROLLER TRAY /	A	Y	\$3.24	\$19.44
R06	0000-275-197	20.00	EA	36X80HC RH 6-PNL MLD FLAT JAMB PH /	A	Y	\$60.00	\$1,200.00
R07	0000-212-261	50.00	EA	1G WHT NYL MIDWAY OUTLET WALLPLT /	A	Y	\$0.47	\$23.50
R08	0000-563-438	10.00	EA	1G WHT MIDWAY SWITCH WALLPLT /	A	Y	\$0.46	\$4.60
R09	0000-639-567	4.00	EA	1G WHT SCREWLESS DECORA WALLPLT /	A	Y	\$3.28	\$13.12
R10	0000-685-574	40.00	CA	TM ALLURE TEAK RESILIENT TRAY SF /	A	Y	\$42.96	\$1,718.40
R11	0000-144-398	4.00	EA	9/16 X 3-1/4 X 12 PFJ WMS56 PPK BASE /	A	Y	\$79.00	\$316.00
R12	0000-262-016	6.00	PK	11/16 X2-1/4X14 PFJ WMS56 PPK CASE /	A	Y	\$75.00	\$450.00
R13	0000-715-687	20.00	EA	KS SEC PORT/BATH SATIN NICKEL /	A	Y	\$14.92	\$298.40

\*\*\* CONTINUED ON NEXT PAGE \*\*\*

FOR WILL CALL  
MERCHANDISE PICK-UP  
PROCEED TO WILL CALL OR  
SERVICE DESK AREA  
(Pro Customers, Proceed To The Pro Desk)



INDOT VARNISH

**CUSTOMER PICKUP #1**

(Continued)

REF #W19									
R14	0000-131-600	2.00	EA	A:B:C PRO 210 FIRE EXTINGUISHER /	A	Y	\$39.97	\$79.94	
R15	0000-459-562	4.00	EA	HARDWIRED SMOKE&CARBONMONOXIDE ALARM /	A	Y	\$43.97	\$175.88*	
R16	0000-619-030	1.00	EA	44" WELLSTON OIL RBD BRNZ CEIL FAN /	A	Y	\$79.97	\$79.97	
R17	0000-468-282	3.00	EA	52" BROOKHURST WHITE CEILING FAN /	A	Y	\$59.97	\$179.91	
R18	0000-442-616	4.00	EA	CE 13" 2LT WHITE FLUSHMOUNT-TWIN PK /	A	Y	\$22.97	\$91.88	
<b>SCHEDULED PICKUP DATE: 04/30/2013</b>					<b>MERCHANDISE TOTAL:</b>				<b>\$5,218.22</b>
					<b>END OF CUSTOMER PICKUP - REF #W19</b>				

**TOTAL CHARGES OF ALL MERCHANDISE & SERVICES**

<b>Policy Id (PI):</b>	
A: 90 DAYS DEFAULT POLICY.....;	
<b>ORDER TOTAL</b>	\$5,218.22
<b>SALES TAX</b>	\$417.46
<b>TOTAL</b>	\$5,635.68
<b>BALANCE DUE</b>	\$5,635.68

X 2

The Home Depot reserves the right to limit / deny returns. Please see the return policy sign in stores for details.

END OF ORDER NO. 1252-30127

**TERMS AND CONDITIONS**

**WILL CALL**

Will Call items will be held in the store for 7 days. For Will Call merchandise pick up, proceed to Will Call/Service Desk area(Pro Customers, proceed to the Pro Desk).  
**Returns:** A 15% restocking fee applies to the return of regular special orders, i.e., special orders merchandise that is not custom made. Special orders that are custom uniquely designed or fitted to accommodate the requirements of a particular space or environment (some examples are cabinetry, countertops, floor and wall coverings, and window treatments) are non-returnable. Exceptions: Cancellations made by midnight on the third business day after the date of Your purchase; merchandise incorrectly ordered by Home Depot or by Professional; or merchandise damaged beyond repair in delivery or by Professional. Unless otherwise specified in this Agreement, all returns must be made within Home Depots posted time frame.

\* Indicates item markdown

**QUOTE**

Store 1252 BINGHAMTON  
798 MAIN ST  
JOHNSON CITY, NY 13790

Phone: (607) 785-8614  
Salesperson: ERH0135  
Reviewer:

Name

**EDWARDS SARAH**

SOLD TO

Address 108 SAINT CHARLES ST

City JOHNSON CITY

State NY

Zip

13790-2024

County BROOME

Home Phone

(607) 348-4735

Work Phone

(607) 348-4735

Company Name

Job Description

ROUGH ESTIMATE

*per invoice*

2013-04-02 17:53

Prices Valid Thru: 04/09/2013

*Liberty Broom of*  
**QUOTE**  
*center ion*  
*Room*

*Way Joubert*

**CUSTOMER PICKUP #1**

**MERCHANDISE AND SERVICE SUMMARY**

REF # W19 SKU # 0000-515-664 Customer Pickup / Will Call

We reserve the right to limit the quantities of merchandise sold to customers

**STOCK MERCHANDISE TO BE PICKED UP:**

REF #	SKU	QTY	UM	DESCRIPTION	PI	TAX	PRICE EACH	EXTENSION
R01	0000-439-614	5.00	EA	23/32 OR 3/4 4X8 RTD SHEATHING-DF /	A	Y	\$33.37	\$166.85
R02	0000-419-109	25.00	EA	5/8"X4'X8' FIRECODE TYPE X DRYWALL /	A	Y	\$11.34	\$283.50
R03	0000-559-352	12.00	EA	R13 KF 15"X32' ROLL INSUL 40SF /	A	Y	\$9.98	\$119.76
R04	0000-566-974	4.00	EA	R30 KF 16"X48" BATT INSUL 58.67SF /	A	Y	\$51.62	\$206.48
R05	0000-233-671	1.00	EA	1-5/8" COARSE DRYWALL BUCKET 25 LB /	A	Y	\$49.74	\$49.74
R06	0000-258-725	1.00	EA	USG ALL PURP JC GREEN LID PAIL 5 GAL /	A	Y	\$14.60	\$14.60
R07	0000-430-684	1.00	EA	DRYWALL JOINT TAPE-PAPER 500' /	A	Y	\$3.20	\$3.20
R08	0000-439-614	5.00	EA	23/32 OR 3/4 4X8 RTD SHEATHING-DF /	A	Y	\$33.37	\$166.85
R09	0000-525-423	25.00	EA	1/2"X4'X8' USG MOLDTOUGH UL DRYWALL /	A	Y	\$13.43	\$335.75
R10	0000-559-352	12.00	EA	R13 KF 15"X32' ROLL INSUL 40SF /	A	Y	\$9.98	\$119.76
R11	0000-566-974	4.00	EA	R30 KF 16"X48" BATT INSUL 58.67SF /	A	Y	\$51.62	\$206.48
R12	0000-258-725	1.00	EA	USG ALL PURP JC GREEN LID PAIL 5 GAL /	A	Y	\$14.60	\$14.60
R13	0000-439-614	20.00	EA	23/32 OR 3/4 4X8 RTD SHEATHING-DF /	A	Y	\$33.37	\$667.40

\*\*\* CONTINUED ON NEXT PAGE \*\*\*

- Kitchen
- bathroom
- Remaining rooms

FOR WILL CALL  
MERCHANDISE PICK-UP  
PROCEED TO WILL CALL OR  
SERVICE DESK AREA  
(Pro Customers, Proceed To The Pro Desk)

**CUSTOMER PICKUP #1**

(Continued)

REF #W19

R14	0000-893-749	100.00	EA	1/2"X4'X8' USG ULTRALIGHT DRYWALL /	A	Y	\$9.98	\$998.00
R15	0000-559-352	48.00	EA	R13 KF 15"X32' ROLL INSUL 40SF /	A	Y	\$9.98	\$479.04
R16	0000-566-974	16.00	EA	R30 KF 16"X48" BATT INSUL 58.67SF /	A	Y	\$51.62	\$825.92
R17	0000-913-798	2.00	EA	1-1/2"X.131 BRT SMTH RD PT 1M /	A	Y	\$44.87	\$89.74
R18	0000-423-629	50.00	EA	8' GALVANIZED DRYWALL CORNER BEAD /	A	Y	\$1.73	\$86.50

SCHEDULED PICKUP DATE: 04/30/2013

MERCHANDISE TOTAL: \$4,834.17

END OF CUSTOMER PICKUP - REF #W19

**TOTAL CHARGES OF ALL MERCHANDISE & SERVICES**

Policy Id (PI):

A: 90 DAYS DEFAULT POLICY.....;

The Home Depot reserves the right to limit / deny returns. Please see the return policy sign in stores for details.

ORDER TOTAL	\$4,834.17
SALES TAX	\$386.73
TOTAL	\$5,220.90
BALANCE DUE	\$5,220.90

*Liberty X 2*

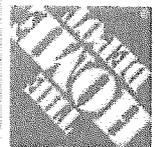
END OF ORDER No. 1252-30124

**TERMS AND CONDITIONS**

**WILL CALL**

Will Call items will be held in the store for 7 days. For Will Call merchandise pick up, proceed to Will Call/Service Desk area(Pro Customers, proceed to the Pro Desk).

**Returns:** A 15% restocking fee applies to the return of regular special orders, i.e., special orders merchandise that is not custom made. Special orders that are custom uniquely designed or fitted to accommodate the requirements of a particular space or environment (some examples are cabinetry, countertops, floor and wall coverings, and window treatments) are non-returnable. Exceptions: Cancellations made by midnight on the third business day after the date of Your purchase; merchandise incorrectly ordered by Home Depot or by Professional; or merchandise damaged beyond repair in delivery or by Professional. Unless otherwise specified in this Agreement, all returns must be made within Home Depot's posted time frame.



Phone: (607) 785-8614  
Salesperson: TMQ041  
Reviewer:

Store 1252 BINGHAMTON  
798 MAIN ST  
JOHNSON CITY, NY 13790

# QUOTE

**EDWARDS SARAH** Home Phone (607) 321-9205

Address 3107 MALVERNE RD Work Phone (607) 624-0224

City ENDWELL Company Name

State NY Job Description BATH

Zip 13760-5845 County BROOME

2013-04-03 09:46  
Prices Valid Thru: 04/10/2013

## MERCHANDISE AND SERVICE SUMMARY

REF # W22 SKU # 0000-515-664 Customer Pickup / Will Call

## CUSTOMER PICKUP #1

We reserve the right to limit the quantities of merchandise sold to customers

### STOCK MERCHANDISE TO BE PICKED UP:

REF #	SKU	QTY	UM	DESCRIPTION	PI	TAX	PRICE EACH	EXTENSION
R01	0000-268-358	12.00	CA	H2 - 6" CE IC REMODEL HOUSING 6PK /	A	Y	\$47.00	\$564.00*
R02	0000-574-001	12.00	EA	TR60BZ-6" CE BRONZE LED TRIM /	A	Y	\$4.97	\$59.64
R03	0000-739-887	3.00	EA	52" CARRIAGE HOUSE AGED IRONCEIL FAN /	A	Y	\$84.97	\$254.91
R04	0000-588-435	3.00	EA	60"X30"X72" WHITE TUB/SHOWER RH 2PC /	A	Y	\$399.00	\$1,197.00
R05	0000-213-110	3.00	EA	WHT BRSHD NKL TRIP LEVER BATH DRAIN /	A	Y	\$29.95	\$89.85
R06	0000-588-550	1.00	EA	32"X32"X72 3/4" WHITE SHOWER 2PC /	A	Y	\$354.00	\$354.00
R07	0000-242-983	1.00	EA	ADLER 1HDL SHOWER ONLY FAUCET CH /	A	Y	\$84.00	\$84.00
R08	0000-614-218	576.00	LF	9/16 X5-1/4 PFJ LWM163E BASE /	A	Y	\$1.98	\$1,140.48
R09	0000-981-150	1.00	EA	CIMARRON WHITE ROUND TOILET 2PC /	A	Y	\$198.00	\$198.00
R10	0000-296-601	75.00	CA	3/4"X2-1/4" PLANO STRIP MARG 20SF /	A	Y	\$54.80	\$4,110.00
R11	0000-211-988	1.00	EA	80 CFM 2.0 SONE E-STAR DOOR F/L OIL /	A	Y	\$99.00	\$99.00
R12	0000-295-206	1.00	EA	NRTHWD 36"DRKCHRY VNTY&MIRR W/BCHTOP /	A	Y	\$369.00	\$369.00
R13	0000-502-654	1.00	EA	BANBURY 4" WIDE BATH FAUCET BZ /	A	Y	\$98.00	\$98.00

\*\*\* CONTINUED ON NEXT PAGE \*\*\*

FOR WILL CALL  
MERCHANDISE PICK-UP  
PROCEED TO WILL CALL OR  
SERVICE DESK AREA

(Pro Customers, Proceed To The Pro Desk)  
\* Indicates item markdown  
Customer Copy

NOT VALID

**CUSTOMER PICKUP #1**  
(Continued)

		REF #W22						
R14	0000-111-701	26.00	PC	11-1/2"X48" OAK FALSE TREAD W/RISE /	A	Y	\$36.95	\$960.70
R15	0000-883-453	3.00	EA	MERIDIAN 18" TOWEL BAR -BRONZE /	A	Y	\$30.98	\$92.94
R16	0000-860-535	3.00	EA	ESTATE TP HOLDER-BRONZE /	A	Y	\$23.98	\$71.94
R17	0000-291-426	3.00	EA	MOEN BANBURY ROBE HOOK BZ /	A	Y	\$16.98	\$50.94
R18	0000-500-091	250.00	EA	12X12 FANTESA CAMEO-EA /	A	Y	\$1.59	\$397.50
R19	0000-842-797	1.00	EA	CE 2LT RUSTIC IRON SEMI-FLUSHMOUNT /	A	Y	\$39.97	\$39.97
R20	0000-790-545	1.00	EA	CE 13" 2LT NUTMEG FLUSHMNT-TWIN PACK /	A	Y	\$22.97	\$22.97
R21	0000-283-372	2.00	EA	#09 NATURAL GRAY SANDED GROUT 25LB /	A	Y	\$13.87	\$27.74
<b>SCHEDULED PICKUP DATE: 05/03/2013</b>							<b>MERCHANDISE TOTAL: \$10,282.58</b>	
							<b>END OF CUSTOMER PICKUP - REF #W22</b>	

**TOTAL CHARGES OF ALL MERCHANDISE & SERVICES**

Policy Id (PI):		ORDER TOTAL	\$10,282.58
A: 90 DAYS DEFAULT POLICY		SALES TAX	\$822.61
		TOTAL	\$11,105.19
		BALANCE DUE	\$11,105.19

The Home Depot reserves the right to limit / deny returns. Please see the return policy sign in stores for details.

END OF ORDER No. 1252-30147

**TERMS AND CONDITIONS**

**WILL CALL**

Will Call items will be held in the store for 7 days. For Will Call merchandise pick up, proceed to Will Call/Service Desk area(Pro Customers, proceed to the Pro Desk).

**Returns:** A 15% restocking fee applies to the return of regular special orders, i.e., special orders merchandise that is not custom made. Special orders that are custom uniquely designed or fitted to accommodate the requirements of a particular space or environment (some examples are cabinetry, countertops, floor and wall coverings, and window treatments) are non-returnable. Exceptions: Cancellations made by midnight on the third business day after the date of Your purchase; merchandise incorrectly ordered by Home Depot or by Professional; or merchandise damaged beyond repair in delivery or by Professional. Unless otherwise specified in this Agreement, all returns must be made within Home Depot's posted time frame.

# PROPOSAL

RS Construction  
4390 Brady Hill RD  
Binghamton, NY 13903

PROPOSAL NO.
SHEET NO.
DATE

### PROPOSAL SUBMITTED TO:

NAME
ADDRESS
PHONE NO.

### WORK TO BE PERFORMED AT:

ADDRESS 11 way ST Binghamton
DATE OF PLANS
ARCHITECT

We hereby propose to furnish materials and perform the labor necessary for the completion of removal of existing siding, repair as needed, install 3/8" plywood board and vinyl siding. 26 square  
Install new soffit and wrap windows and fascia.

Materials - 5750.00  
Labor - 7400.00  
Total 13150.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of \_\_\_\_\_

Dollars (\$ 13,150.00 )

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted: Richard Smith

Per \_\_\_\_\_

Note—this proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

# PROPOSAL

RS Construction  
4390 Brady Hill RD  
Binghamton, NY 13903

PROPOSAL NO.
SHEET NO.
DATE

### PROPOSAL SUBMITTED TO:

NAME
ADDRESS
PHONE NO.

### WORK TO BE PERFORMED AT:

ADDRESS 11 Way St Binghamton
DATE OF PLANS
ARCHITECT

We hereby propose to furnish materials and perform the labor necessary for the completion of Removal of existing roof, replace bad rafters install 5/8 sheathing, new fascia

225 sq Drip	100
4 Rls ice/water	300
3 Rls tar paper	120
nails	50
18 square shingles	2160
56. white sheathing	900
Material	3630
Labor	5000
HL	<u>8630.00</u>

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted: Richard Smith

Per \_\_\_\_\_

Note—this proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

# We have over 80 garage plans available to choose from, including...

Garages with shop space

Truss-roof garages

Rafter-framed garages

Automotive lift garages

Garages with dormers

Garages with attics

One-car garages

Two-car garages

Three-car garages

Four-car garages

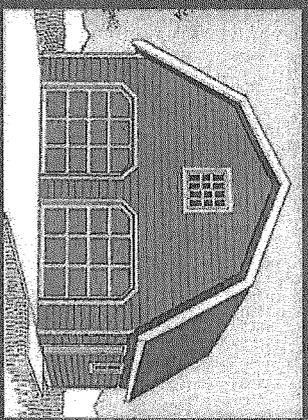
S.U.V.-sized garages

Craftsman style garages

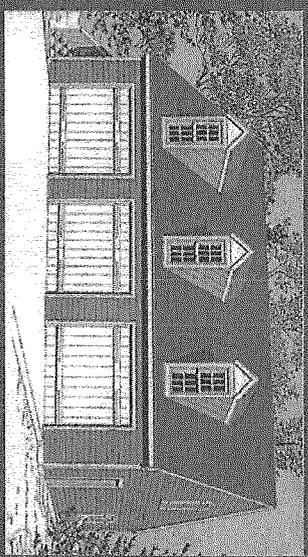
Storage garages

Once-story garages

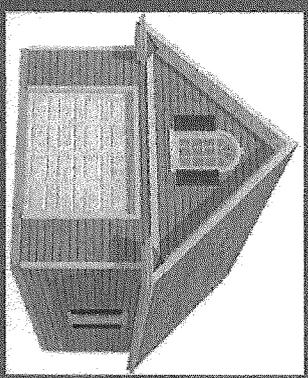
Two-story garages



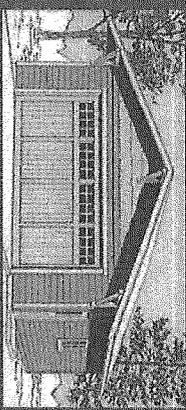
24'x24'(V) Gambrel w/ Attic Truss Plan #575-1



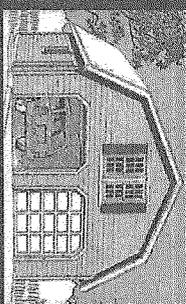
SUV 39'x29' Williamsburg Style w/ Attic Truss Plan #975-9



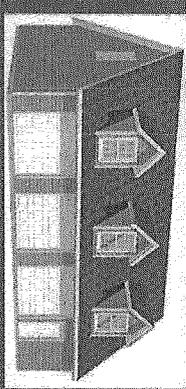
16'x22' Colonial Plan #984-3



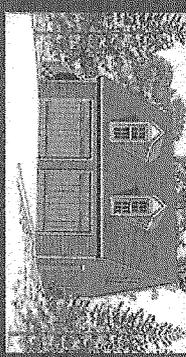
SUV 22'x26'(V) Craftsman Style Plan #572-9



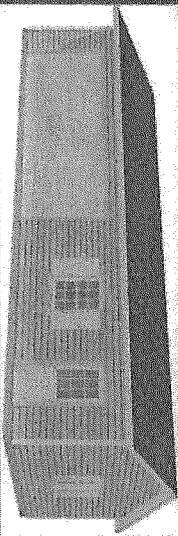
26'x26' Gambrel Roof Plan #676-7



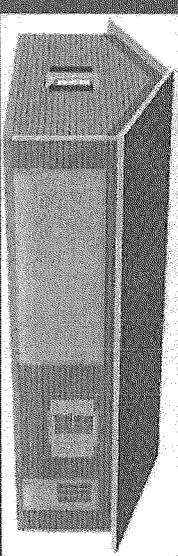
SUV 46'x28' Traditional w/ Loft Plan #2280-9



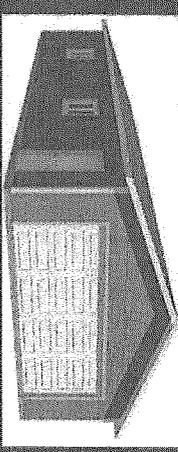
SUV 29'x25' Williamsburg Garage Plan #650-1



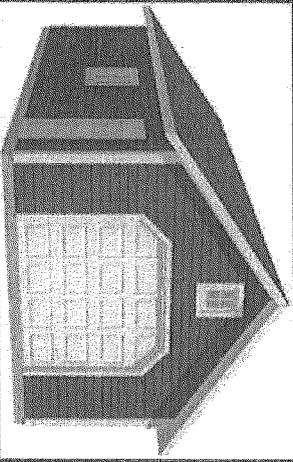
40'x22' Plan #980-1



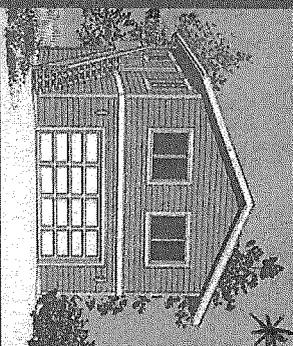
40'x26' Plan #1090-2



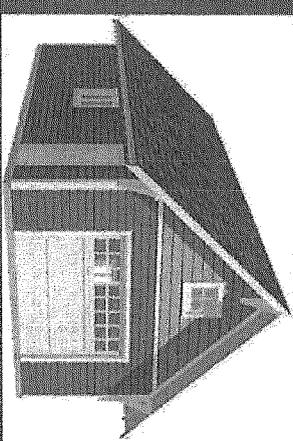
24'x48' 2-Car w/ Shop Plan #1182-3



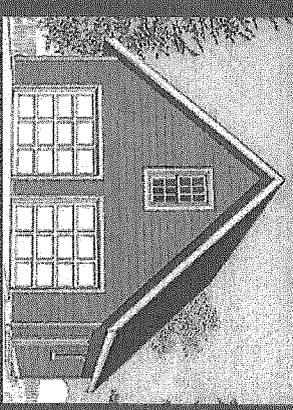
16'x34'(V) Traditional Style 1-Car Plan #1544-5



24'x24' w/ 2385 A.D.C. Plan #1762-1



16'x34'(V) Craftsman Style Plan #584-6



24'x28'(V) 2-Car w/ Attic Truss Plan #671-1

Just ask your 84 Lumber store associate for a FREE estimate on your garage package.

POS	PACKAGE DESCRIPTION	INVENTORY DESCRIPTION	PKG QTY	ITEM QTY
88448	REFERENCE MATERIALS			1.0
88448	BEHM PLAN 1152-1			1.0
88448	BLUEPRINT SHIPPING			1.0
88448	NAILS & HARDWARE			1.0
9475000	8D FRAMING NAIL 50#	8D CTD SINKER 50#		1.0
9505000	16D FRAMING NAIL 50#	16D CTD SINKER 50#		1.0
6655100	8D GALV SDG NAIL 50#	8D HD SPIRAL SIDING 50#		1.0
5512000	14X50 FLASHING	14X50 VERSA ALUM FLASHI		1.0
114079	STAPLES	T50 3/8" STAPLES 1250/B		1.0
9537900	4D BRIGHT FINISH 1#	4D BRIGHT FINISH 1#		5.0
88437	6D HD COMMON 1#			5.0
88437	8D HD FINISH 1#			5.0
88448	WALL FRAMING			1.0
2069201	2X6X92 5/8 EXT. STUD	2X6X92-5/8 S-DRY SPF ST		144.0
2061201	2X6X12 TOP PLATE	2X6X12 S-DRY SPF #2&BT		32.0
2061201	2X6X12 BOT PLATE	2X6X12 S-DRY SPF #2&BT		8.0
2061270	2X6X12 PT BOT PLATE	2X6X12 #2 PRIME TRT SYP		16.0
2049201	2X4X92 5/8 INT. STUD	2X4X92-5/8 S-DRY SPF ST		65.0
2061001	2X6X10 INT PLATES	2X6X10 S-DRY SPF #2&BT		3.0
2069201	2X6X92 5/8 INT STUDS	2X6X92-5/8 S-DRY SPF ST		10.0
2041601	2X4X16 INT. PLATES	2X4X16 S-DRY SPF #2&BTR		18.0
2041201	2X4X12 LOOKOUTS	2X4X12 S-DRY SPF #2&BTR		4.0
2060801	2X6X8 HEADERS	2X6X8 S-DRY SPF #2&BT		8.0
2080801	2X8X8 HEADERS	2X8X8 DRY SPF/HF 2B		10.0
2001600	1-3/4X11-7/8 LVL 1.9	1-3/4X11-7/8 LVL 1.9 OR		36.0
88494	BEHM 1152-1 FLOOR SY			1.0
53400	3/4X4X8 T&G CDX	23/32X4X8 SYP/FIR UL T&		18.0
6187400	SUBFLOOR ADHESIVE QT	LN601B LIQ NL M/P ADH 2		5.0
71600	7/16X4X8 OSB WALL SH	7/16X4X8 OSB		58.0
128061	9X195 PRIME WRAP 84L	9X195 PRIME WRAP 84LOGO		1.0
88448	EXT STAIRS & LANDING			1.0
4041006	4X4X10 PT POSTS	4X4X10 SYP TREATED #2		4.0
4040806	4X4X8 RAIL POST	4X4X8 SYP TREATED #2		1.0
2080807	2X8X8 PT JOIST	2X8X8 SYP TREATED #1		3.0
2080807	2X8X8 PT LEDGER	2X8X8 SYP TREATED #1		1.0
5523053	LUS28Z	LUS28Z (50		2.0
6322963	LUS28-2Z	LUS28-2Z (25		2.0
2120807	2X12X8 PT. BEAM	2X12X8 SYP TREATED #1		1.0
5460807	5/4X6X8 PT DECKING	5/4X6X8 SYP PREM TRTD		5.0
2121607	2X12X16 PT STRINGERS	2X12X16 SYP TREATED #1		3.0
2121207	2X12X12 PT TREADS	2X12X12 SYP TREATED #1		5.0
1081206	1X8X12 P.T. RISERS	1X8X12 SYP TREATED #2		5.0
2061270	2X6X12 PT RAIL CAP	2X6X12 #2 PRIME TRT SYP		1.0
2041670	2X4X12 PT RAIL TRIM	2X4X16 #2 PRIME TRT SYP		1.0
2061070	2X6X10 PT RAIL CAP	2X6X10 #2 PRIME TRT SYP		1.0

*Handwritten signature or initials*

POS	PACKAGE DESCRIPTION	INVENTORY DESCRIPTION	PKG QTY	ITEM QTY
2041070	2X4X10 PT RAIL TRIM	2X4X10 #2 PRIME TRT SYP		1.0
3026700	2X2X48 PT PICKETS	2X2X48 BEVL 1 END PT		30.0
9209900	16D HD SPIRAL DECK 5	16D HD SPIRAL DECK 5#		1.0
9902300	6-1-5/8 PREMIUM DEC	6-1-5/8" PREMIUM DECK 5		1.0
88410	BEHM 1152-1 TRUSS PK			1.0
5985500	HURRICANE TIES	H1 HURR TIE (100		22.0
71600	7/16X4X8 ROOF SHEATH	7/16X4X8 OSB		25.0
5509900	PSCL 7/16 (	PSCL 7/16 (250		250.0
21500	#15 ROOFING FELT	FELT #15 4SQ		2.0
2613000	25 YR FRS ONYX BLACK	25 YR FRS ONYX BLACK		8.0
88419	2 ROUND EAVE VENT			24.0
2278400	20' RIDGE VENT	COBRA 20' ROLL VENT		2.0
4929900	10' ALUM DRIPEDGE	F4 ECON ALUM DRIP WHT.		11.0
9519100	1-1/4 EG ROOFING 5#	1-1/4 EG ROOFING 5#		5.0
88448	SIDING & TRIM			1.0
88409	7/16X8X16 PRMD LAP S			188.0
1265800	1X4 PRM TRIM 4@9'	1X4 PRIMED FINGER JOINT		36.0
1265800	1X4 PRM TRIM - 12@8'	1X4 PRIMED FINGER JOINT		72.0
1265800	1X4 PRM TRIM - 8@12'	1X4 PRIMED FINGER JOINT		96.0
1265900	1X6 PRM FASCIA	1X6 PRIMED FINGER JOINT		106.0
2061601	2X6X16 RAKE	2X6X16 S-DRY SPF #2&BT		4.0
88448	WINDOWS & EXT. DOORS			1.0
88425	3/0X3/0 SLIDING WIND			1.0
88425	5/0X3/6 SLIDING WIND			2.0
88425	5/0X4/0 SLIDING WIND			1.0
88425	6/0X3/0 SLIDING WIND			2.0
88424	6/0X4/0 SLIDING WIND			2.0
88420	16X7 OH GARAGE DOOR			1.0
2061601	2X6X16 GRG DOOR JAMB	2X6X16 S-DRY SPF #2&BT		1.0
2060801	2X6X8 GRG DOOR JAMB	2X6X8 S-DRY SPF #2&BT		2.0
88428	16' WHITE THERMOSTOP			1.0
1604800	7' GARAGE DOOR STOP	GARAGE DR 7' WH THERMOS		2.0
88422	3068 PH STEEL ENT DO			2.0
6759200	ENTRANCE LOCK	780973V TULIP ENTRY PB		2.0
7130900	WOOD SHIMS	SHIMS CEDAR 1-2"		2.0
5865400	LATEX CAULK	SBR100 WIN/SID CLK WH 1		2.0
88448	INSULATION			1.0
7329500	R-19X16 WALL INS.	R19 KRF15"X93" E61		10.0
7329500	R-19X16 FLOOR INS.	R19 KRF15"X93" E61		8.0
4304952	R30 KRF24 X48 E56	R30 KRF24"X48" E56		8.0
88448	DRYWALL			1.0
6999400	1/2 LIGHT WEIGHT 8'	1/2 LIGHT WEIGHT 8'		52.0
42000	5/8X4X8 CEIL DRYWALL	5/8 FIRECODE TYPE X 8'		18.0
42000	5/8X4X8 GRG CEIL DW	5/8 FIRECODE TYPE X 8'		18.0
42500	1/2X4X8 M.R. DRYWALL	1/2 WATER RESISTANT 8'		7.0

POS	PACKAGE DESCRIPTION	INVENTORY DESCRIPTION	PKG QTY	ITEM QTY
40500	5 GAL JOINT COMPOUND	PROFORM A/P 61.7# BKT		4.0
40000	DRYWALL TAPE 400'	DRYWALL TAPE 250'		4.0
40400	8' CORNER BEAD	DRYWALL BEAD 8'		35.0
835133	1 1/4 DW SCREW - CTN	1-1/4 COARSE DRYWALL CT		1.0
88436	DRYWALL SEALER (5 GA			8.0
88448	INTERIOR DOORS			1.0
88423	4068 COLONIST BIFOLD			2.0
88423	2/6 COL P.H. W/CSG			4.0
88423	2668 COLONIST BIFOLD			1.0
6759300	PASSAGE LOCK	780957V TULIP PASS PB		1.0
6759400	PRIVACY LOCK	780965V TULIP PRIV PB		3.0
7130900	WOOD SHIMS	SHIMS CEDAR 1-2"		4.0
88448	INTERIOR TRIM			1.0
1524000	WM623 COL BS 9/16X3-	WM623 COL BS 9/16X3-1/4		180.0
1521000	WM356 COL CSG 11/16X	WM356 COL CSG 11/16X2 1		96.0
1521000	WM356 COL CSG 11/16X	WM356 COL CSG 11/16X2 1		18.0
1121001	1X12X10 SHELF	1X12X10 #2 COMMON BOARD		2.0
1505200	WOOD CLOSET ROD	WM233F 1 1/4X 1 1/4 FUL		20.0
1041201	1X4X12 SHELF SUPPORT	1X4X12 #2 COMMON BOARD		2.0
88445	SHELF SUPPORT			2.0
245401	CLOSET ROD SOCKET	PLSTC POLESOCKET WHITE		4.0
88436	INTERIOR LATEX PAINT			8.0
88448	KITCHEN			1.0
88453	BEHM 1152-1 KITCHEN			1.0
88432	KITCHEN COUNTERTOP			17.0
88432	RANGE HOOD			1.0
88434	STAINLESS STEEL SINK			1.0
88433	BATHROOM			1.0
88432	VANITY TOP - SNG BOW			1.0
88434	5' TUB/SHOWER UNIT			1.0

END OF REPORT

# PROPOSAL

RS Construction  
4390 Brady Hill RD  
Binghamton, NY 13903

PROPOSAL NO.
SHEET NO.
DATE

### PROPOSAL SUBMITTED TO:

NAME
ADDRESS
PHONE NO.

### WORK TO BE PERFORMED AT:

ADDRESS 11 way ST Binghamton
DATE OF PLANS
ARCHITECT

We hereby propose to furnish materials and perform the labor necessary for the completion of Construction  
of 24x24 two story 2 bedroom 2 car  
garage. Garage is to be unfinished  
upstairs is completely finished. Everything  
included except plumbing and electrical

Material kit	25,000.00
Labor	12,000.00
<hr/>	
	32,000.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of \_\_\_\_\_ Dollars (\$ 32,000.00 )

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted: Richard Smith  
 Per \_\_\_\_\_

Note—this proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_  
 Date \_\_\_\_\_ Signature \_\_\_\_\_

# PROPOSAL

*RS Construction*  
4390 Brady Hill RD  
Binghamton, NY 13903

PROPOSAL NO.
SHEET NO.
DATE

### PROPOSAL SUBMITTED TO:

NAME
ADDRESS
PHONE NO.

### WORK TO BE PERFORMED AT:

ADDRESS <i>11. Way ST. Binghamton</i>
DATE OF PLANS
ARCHITECT

We hereby propose to furnish materials and perform the labor necessary for the completion of Installing  
*4" Concrete pad with 48" frost wall and*  
*18" footer backfilled and graded.*

*Labor & Material 7500.00*

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of \_\_\_\_\_ Dollars (\$ *7500.00* )

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted: *Richard Smith*

Per \_\_\_\_\_

Note—this proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_



# Legislative Branch

RL Number:  
13-173  
 Date Submitted:  
10/16/13

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: Kenneth Frank

Title/Department: Corporation Counsel

Contact Information: 772-7013

### RL Information

Proposed Title: A RESOLUTION ESTABLISHING A STANDARD WORK DAY FOR ELECTED

AND APPOINTED OFFICIALS AND AUTHORIZING THE CITY CLERK TO FILE THE STANDARD

WORK DAY AND REPORTING RESOLUTION RS 2417-A WITH THE OFFICE OF THE NYS

Suggested Content: COMPTROLLER

TBD by Corp Counsel and Comptroller

### Additional Information

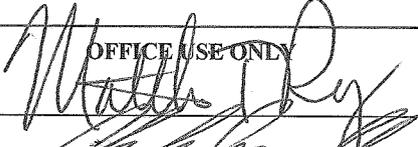
Does this RL concern grant funding? Yes  No

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 type="checkbox"/>	PW/Parks <input type="checkbox"/>	Employees <input checked="" type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



# Legislative Branch

RL Number:

13-174

Date Submitted:

10/16/13

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 to the Mayor

Contact Information: Krseeley@cityofbinghamton.com

### RL Information

Proposed Title: Transferring \$1,437.34 from A7550.54741 Parade Expenses to A1210.54410 Professional Services

Suggested Content: ~~To pay for additional invoice from Evans Mechanical for repairs to Lee Barla AC unit~~ To pay an additional invoice from Evans Mechanical for repairs to Lee Barla AC unit

### 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



# 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

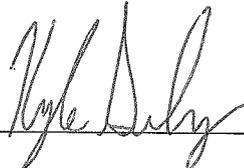
Date: 10/10/2013

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

To pay for an additional invoice recieved from Evans Mechanical for  
Le Barba Repairs

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A7550.54741 Parade Expenses	A1210.54410 Professional Services	\$1,437.34

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: 

Date: 10/10/2013

#### OFFICE USE ONLY

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

Signature: 

Date: 10/15/13

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 10/16/13. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: 

Date: 10/16/13

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Meier Supply Co., Inc.

Phone: (607)797-7700 Fax: (607)797-4372  
www.MeierSupply.com

MEIER SUPPLY CORPORATE OFFICE  
275 Broome Corporate Parkway  
Conklin, NY 13748-1511

Branch: Binghamton

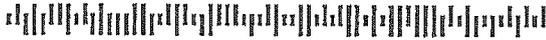
## INVOICE

INVOICE DATE:	INVOICE #	ACCOUNT NUMBER
7/11/13	1212177	101441
PLEASE SEND PAYMENTS TO:		
MEIER SUPPLY CO., INC. 275 Broome Corporate Parkway Conklin, NY 13748-1511		

ENROLLMENT TOKEN:
SKK LMB GRR

### BILL TO:

2684 1 MB 0.405 E0107 10163 0733622953 P1525018 0003:0003



EVANS MECHANICAL, INC.  
314 MAPLE ST  
ENDICOTT NY 13760-4093

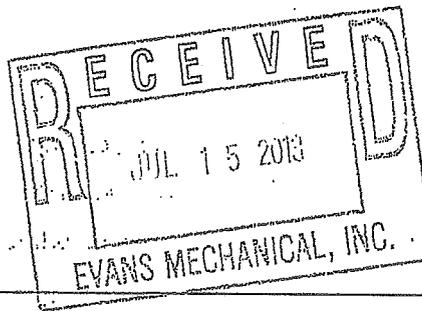
### SHIP TO:

EVANS MECHANICAL, INC.  
314 MAPLE STREET  
ENDICOTT, NY 13760

PO Number	Terms Description	Net Due Date	Disc Due Date	Discount Amount			
13-272-3	Net 30	8/10/13					
Order Date	Order #	Primary Salesrep Name	Taker				
7/11/13	3191495	Dustin Melville	BCROWN				
Ordered QTY	Shipped QTY	Remaining QTY	Disp.	Item ID Item Description	UOM	Unit Price	Extended Price
2	2	0		CALGON 4050-06 A/C EASY SEAL HOSE/VALVE SOLD SEPARATE	EA	57.6300	115.26
1	1	0		WK:13AJA36A01757 3 TON DRY-22 230/1 Serial Number: 8344W481208460	EA	1,024.9219	1,024.92
1	1	0		DISCONNECT 60A NF 60A DISC NON-FUSED #83315 replaces #80315 A item	EA	14.2100	14.21
1	1	0		WHIP 1/2 X 6 1/2INX6FT WHIP / (84135) 1-1/2 TON UPTO 3 TON A Item	EA	24.7600	24.76
1	1	0		R-438A-25LB REFRIGERANT (MO-99) A Item	EA	258.1900	258.19

Total Lines: 5

SUB-TOTAL: 1,437.34  
TAX: 0.00  
AMOUNT DUE: 1,437.34



### NY Locations

Albany  
Binghamton  
Buffalo  
Middletown  
Rochester  
Syracuse  
Utica

### PA Locations

Allentown  
Altoona  
Erie  
Hanover  
Harrisburg  
Scranton  
Stroudsburg  
Wilkes-Barre  
Williamsport

Shipment Accepted By:



# INVOICE

**EVANS MECHANICAL, INC.**

NYS CERTIFIED WOMEN OWNED BUSINESS ENTERPRISE

314 MAPLE STREET

ENDICOTT, NEW YORK 13760

PHONE: 607-754-2002 FAX: 607-785-2878

**SOLD TO: CITY OF BINGHAMTON**  
**DEPARTMENT OF PURCHASE**  
**38 HAWLEY STREET - 2ND FLOOR**  
**BINGHAMTON, NY 13901-3769**

\* PLEASE PAY AMOUNT AT BOTTOM OF INVOICE \*

INVOICE DATE	INVOICE NUMBER
10/3/13	28908A

CUSTOMER	SLSMN	PURCH ORDER NO.	SHIPPED VIA	DATE SHIPPED	TERMS	ORDER DATE	ORDER NUMBER
BING00		LEE BARTA CENTER			N/30		13-285

QUANTITY	STATUS	ITEM NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
			<p>TO INVOICE FOR THE COMPLETION OF THE PROJECT WHICH INVOLVED REPAIRING A LEAK ON A WATER HEATER AND ALSO REPLACING A COIL AN AIR CONDITIONING UNIT AS PER APPROVAL FROM COLLEEN WAGNER ON 7-11-13</p> <p>VALUE OF WORK AS PER QUOTE</p> <p>VALUE OF WORK PERFORMED</p> <p>TAX EXEMPT CERTIFICATE ON FILE</p>	N T E	<p>\$3,350.00</p> <p>\$2,662.93</p>

COMMENTS	SALES TOTAL	\$2,662.93
	SALES TAX	
	FREIGHT	
	PRE-PAID	
	INVOICE TOTAL	\$2,662.93



# Legislative Branch

RL Number:  
13-175  
 Date Submitted:  
10/17/13

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: William M. Barber

Title/Department: Director of Parks & Recreation

Contact Information: 607-772-7017

### RL Information

Proposed Title: Transfer of Funds for Department of Parks & Recreation

Suggested Content: Request Transfer of Funds to Maintenance, Temporary Services & League

Official Budget Lines to Finalize Year End Budget Needs

### 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): \_\_\_\_\_

<b>OFFICE USE ONLY</b>					
Mayor:	<u>[Signature]</u>				
Comptroller:	<u>[Signature]</u> 10/17/13				
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"/>



# Department of Parks & Recreation

*Mayor, Matthew T. Ryan  
William M. Barber, Director of Parks & Recreation  
Assistant Director, Carol A. Quinlivan*

TO: Angela Holmes  
FROM: William M. Barber  
DATE: October 17, 2013  
SUBJECT: R.L. & Transfer of Funds

Dear Angela,

Attached Please find a copy of a Request for Transfer of Funds and an R.L. Request for City Council's work session on 10/21/2013. I am requesting that City Council pass this request contingent upon approval by Board of E & A on Wednesday 10/23/2013. It is also my understanding that if approved the legislation would be on the November 6, 2013 agenda.

I am also asking that my 9/20/2013 request for transfer of funds in the amount of \$10,000.00 be removed from further consideration.

Thank you.

Sincerely,

  
William M. Barber



# 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: October 17, 2013

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

Year end transfers to correct budget lines for Park Maintenance, Temporary Services and League

Officials

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
See Attached Sheet	See Attached Sheet	See Attached Sheet

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: Bill Barber

Date: 10.17.2013

### OFFICE USE ONLY

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

Signature: [Signature]

Date: 10/17/13

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 \_\_\_\_\_. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Transfer From:

A7110.51000	Parks Maintenance-Personal Services	\$5,000.00
A7020.54410	Parks & Recreation-Professional Services	\$3,000.00
A7620.51800	Senior Center-Temporary Services	\$12,000.00
	TOTAL	<u>\$20,000.00</u>

Transfer To:

A7310.51800	Youth Recreation-Temporary Services	\$1,500.00
A7310.54445	Youth Recreation-Youth League Officials	\$1,000.00
A7610.54445	Adult Recreation-Adult League Officials	\$1,000.00
A7110.54102	Parks-General Operating Supplies	\$1,500.00
A7110.54130	Parks-Construction Materials	\$10,000.00
A7110.54610	Parks-Building/Equipment Repair & Maintenance	\$2,500.00
A7110.54641	Parks-Pool Repairs & Maintenance	\$2,500.00
	TOTAL	<u>\$20,000.00</u>



# Legislative Branch

RL Number:	13-176
Date Submitted:	10/17/13

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: Merry Harris

Title/Department: Executive Director/BLDC

Contact Information: X7161

### RL Information

Proposed Title: A resolution approving a loan from the BLDC in the amount of Two Hundred Thousand Dollars (\$200,000) to support the purchase of equipment for the kosher dairy production plant owned and operated by Mountain Fresh Dairy, LLC

Suggested Content: To be developed by Corporation Counsel

Please see attachments: BLDC Resolution 13-19

### 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"/>

**RESOLUTION 13-19**

October 17, 2013

**A RESOLUTION OF THE BINGHAMTON LOCAL DEVELOPMENT CORPORATION APPROVING A REVOLVING FUND LOAN TO MOUNTAIN FRESH DAIRY, LLC IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00) TO SUPPORT THE PURCHASE OF EQUIPMENT FOR THE KOSHER DAIRY PRODUCTION PLANT LOCATED AT 135-149 CONKLIN AVENUE, BINGHAMTON, NEW YORK.**

WHEREAS, The Principals of Mountain Fresh Dairy, LLC, herein known as "Applicant" have submitted an application for gap financing through Binghamton Local Development Corporation (BLDC) to support the purchase of equipment for the kosher dairy plant located at 135-149 Conklin Avenue, Binghamton, NY; and

WHEREAS, said loan application meets all eligibility requirements set forth by the BLDC Revolving Fund Loan Program; and

WHEREAS, the Applicant demonstrates adequate cash flow to support the loan; and

WHEREAS, the BLDC staff & loan committee have reviewed the said application and recommend it for approval; and

WHEREAS, said loan shall be funded from miscellaneous repayments to the City of Binghamton Community Development Block Grant (CDBG) fund.

WHEREAS, the loan will require the creation of 6 new jobs, 51% of which must be hired from individuals in the HUD defined low-moderate income categories, and

NOW, THEREFORE; the Board of Directors of the BLDC, duly convened at a regular meeting hereby does;

RESOLVE that the Revolving Fund Loan to Mountain Fresh Dairy is hereby approved in the amount of Two Hundred Thousand Dollars and no cents (\$200,000.00) and be it further.

RESOLVED, that the Note and terms of said loan together with the loan collateral shall be listed in the narrative attached hereto; and be it further.

RESOLVED, that this loan is not likely to have a significant impact on the environment as it is for the purchase of equipment that will be installed in an existing facility; and be it further.

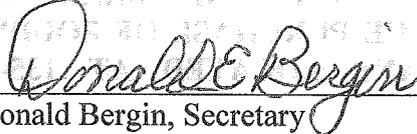
RESOLVED, that the Executive Director of the BLDC shall gain the approval of Binghamton City Council for this loan, and be it further.

**BLDC Board of Directors Loan Narrative: Mountain Fresh Dairy, LLC**

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RESOLVED, that after approval from the City Council, the Executive Director of the BLDC is hereby authorized and empowered to transmit a letter of commitment to said Applicant.

I, Donald Bergin, hereby certify the above resolution was approved by the Binghamton Local Development Corporation at the regular meeting held on October 17, 2013.



**Donald Bergin, Secretary**  
**Binghamton Local Development Corporation**

# BLDC Board of Directors Loan Narrative: Mountain Fresh Dairy, LLC

## BINGHAMTON LOCAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS OCTOBER 17, 2013

### LOAN NARRATIVE

#### **Project Profile**

**Borrower:** Mountain Fresh Dairy, LLC

**Loan Amount:** \$200,000

**Loan Program:** Revolving Fund Loan (CDBG)

**Rate:** Wall Street Journal Prime Rate in effect upon Board Approval, but not less than 4%

**Term:** 7 years

**Amortization:** 7 years

#### **Collateral:**

Inter-creditor Agreement between the BLDC and the IDA for a shared 1<sup>st</sup> interest in the real property, equipment, FF&E, and all remaining business assets funded through the two public entities.

Life insurance policy for Zeev Rothschild & Norman Rausman in the amount of \$200,000 for the term of the loan.

#### **Guarantors:**

Unlimited Personal Guarantees of Zeev Rothschild

Unlimited Personal Guarantee of Norman Rausman

#### **Job Creation:**

The loan will help to create 140 skilled full time equivalent positions (full time equivalent position is defined as working 40 hours a week). Of the six job required, 51% will be from HUD defined low to moderate income levels. The business is scheduled to satisfy this job creation requirement within the three-year time frame stipulated by HUD.

#### **Project Description:**

The applicant has requested a BLDC Revolving Fund loan in the amount of \$200,000 for gap financing to support the purchase of machinery and equipment for the formed entity: Mountain Fresh Dairy, Inc—a local start-up premium kosher dairy processing company located at 135-149 Conklin Avenue. In an effort to start the business, the applicant is prepared to invest personal equity in the amount of \$2,508,000 million (approximately 71%). The applicant's 2,508,000 million equity injection will be provided through personal cash of \$325,000, the purchase of real estate (\$150,000), purchased of new and used equipment \$1,983,000.00:

The total cost of the project will be \$3,500,000. The applicant is pursuing letters of commitment for financing from the following financial institutions: IDA (\$200,000), Bank of America (\$1,000,000). Since July 11, 2013, Bank of America (BOA) has agreed to provide equipment leasing as part of the financing in order to allow the company to expand its production and distribution operations as the business grows its customer base. The initial operation will require a draw of \$600,000 with a remaining lease line of \$400,000 for future investment in new equipment.

**Scope of Work:**

<b>Sources</b>	<b>Percentage</b>	<b>Total</b>
<b>BLDC</b>	<b>6%</b>	<b>\$200,000.00</b>
<b>IDA</b>	<b>6%</b>	<b>\$200,000.00</b>
<b>Bank of America (\$1,000,000 equipment lease)</b>	<b>17%</b>	<b>\$600,000.00</b>
<b>Equity</b>	<b>71%</b>	<b>\$2,508,000.00</b>
<b>Total:</b>	<b>100%</b>	<b>\$3,508,000.00</b>
<b>Uses</b>		
<b>Land (purchased)</b>		<b>\$10,000.00</b>
<b>Building Acquisition (purchased)</b>	<b>4%</b>	<b>\$140,000.00</b>
<b>Machinery &amp; Equipment &amp; Installation (\$284,204 Purchased as of 2/14/13)</b>	<b>57%</b>	<b>\$1,983,000.00</b>
<b>Equipment Lease (\$400,000 lease line available)</b>	<b>17%</b>	<b>\$600,000.00</b>
<b>Working Capital</b>	<b>9%</b>	<b>\$325,000.00</b>
<b>Other (soft costs and inventory)</b>	<b>13%</b>	<b>\$450,000.00</b>
<b>Total:</b>	<b>100%</b>	<b>\$3,508,000.00</b>

**Business Description:**

Mountain Fresh Dairy (MFD) was formed in March, 2013 as a limited liability company with a common mission to penetrate the Cholov Yisroel—kosher, food and beverage industry by offering a superior kosher dairy product line for observant Jewish markets identified within the New York metropolitan area, Ohio, Baltimore, Washington D.C., Atlanta, and portions of eastern Canadian provinces (Montreal and Toronto). The principals of the company are Zeev Rothschild and Norman Rausman. Both Mr. Rothschild and Mr. Rausman have had notable records of success as investors in commercial and residential real estate as well as sizable diverse business ventures in food production.

Mountain Fresh Dairy (MFD) has purchased the former Hood Crowley dairy production facility located at 135-149 Conklin Avenue Binghamton, NY. In an effort to operate a more efficient production line, Hood has transferred its workload to other more modern plants, and sold off by auction, much of the machinery in the plant to MFD. MFD purchased a large amount of the more modern machinery at the Hood auction and has since obtained most of the machinery required for the milk producing operations. MFD fully expects to have completed the purchase of all equipment required prior to the end of the year. It is important to note, the purchase of the Hood facility is conditioned by non-compete specifications that prevent the sale of the facility to any direct competitors of Crowley for a three years time period. It is anticipated that these non-compete specifications will transfer with the sales, transfer, and/or seizure of tangible assets within this timeframe.

For the first five years of operation, the kosher dairy plant will produce a dairy product line consisting of milk, cheese, ice cream, and yogurt. Once they have established their brand in this niche market. The overall goal is to expand into additional kosher product lines (juice drinks, water, etc)

While there are other milk producers throughout the east coast: Golden Flow (55% of market share produced by Mountainside Dairy in northern Catskill area), Fresh and Tasty (22% of market share), Devash, (11% of market share produced by Midland Farm nearby Albany area), and Pride of Farm (12% of market share produced at Kreider Farm near Lancaster, PA), what will set this plant apart from other operations, is its 100% Kosher production methods – Cholov Yisroel plant, which means that it will produce 100% of its milk and other products under the highest standards of kosher supervision. This designation will in itself help procure a vast market that pays a premium price for their product, and urgently needs an infusion of kosher dairy product to keep up with this growing market. This Cholov Yisroel standard is very difficult for other plants to duplicate, which is anticipated to give Mountain Fresh Dairy a strong advantage over its competitors.

To ensure the highest quality production of kosher milk, MFD has already hired consultants, some of the head staff of the former Hood plant, to ensure that the machinery is sized properly, operational flows are efficient, and the proper quality can be assured, from the bottom up. It is the full intent of MFD to first offer jobs to the former Hood employees, many of whom are still unemployed, to run the plant. Almost all other employees will be (if possible) local employees, so as to help employment within the City limits.

In addition, through ties in the food industry, two other milk distributors have expressed strong interest in purchasing the dairy products after the plant has produced a good quality product between two to three months.

**Why do this Project:**

Mountain Fresh Dairy proposal has the potential to help stimulate the local economy as a new employer in the community. Through this venture, the BLDC will help to create over 100 jobs in the area within a three year timeframe. Furthermore, the recruitment of this business will assist a growing industry and spur future investment and employment in the City.

**Why Binghamton?**

The City of Binghamton has a vacant dairy plant located at 135-149 Conklin Avenue that is readily equipped with the appropriate square footage and infrastructure to run a midsize dairy production facility. Given the fact that the real estate and equipment was for sale, the owners of Mountain Fresh Dairy were able to acquire these assets at a low cost. Furthermore, given Binghamton's close proximity to the dairy farm that will treat the livestock and produce the kosher milk, the company can control the production and kosher methods to ensure the quality of milk and other dairy products that will be produced for the observant Jewish communities along the East Coast. By producing the dairy product in the same region as the source of the milk, this allows the company to keep costs down, while maximizing production (longer shelf life), quality, and selling it on the market at a premium price.

In addition, Binghamton is readily equipped with a skilled workforce for this industry. As a result of Hood downsizing its operations and closing its local facility, many of their skilled workers were laid off. The owners of Mountain Fresh Dairy are in the process of recruiting these former employees of Hood's workforce who have in-depth knowledge of the facility, and the technical knowhow of general plant operations and equipment design. This method of employee recruitment will prove to be beneficial to the company as they will be able to get the facility up and running for production within a reasonable timeframe while avoiding overhead costs associated with employee training.

**Personal History:**

The principals of Mountain Fresh Dairy are Zeev Rothschild and Norman Rausman. Mr. Rothschild and Mr. Rausman are both seasoned businessmen who have vast experience in food production/distribution facilities. Other ventures within their professional portfolio include commercial and residential real estate investment. A large portion of their business investments are centered in the New York metropolitan area, primarily within the State of New Jersey. As an initially part of the company's strategy to penetrate the kosher market, the principals will utilize their outside investments. Mr. Rausman owns with partners a string of nursing homes, and other holdings that have a need for products that will be produced in the local plant. The second partner, Mr. Rothschild owns three supermarkets in NJ, with sales closing in on \$75,000,000, and would be the end user of an adequate percentage of the products produced at the local plant.

**Credit History:**

A recent credit report taken on October 7, 2013, revealed that the potential owners of the business have a solid personal financial history. The owners of the business have maintained a solid repayment history with the ability to satisfy all personal financial obligations.

**Collateral Analysis:**

A collateral analysis was created to account for the total proposed collateral available to support the loans amounts through the Industrial Development Agency (IDA) and the Binghamton Local Development Corporation. Each tangible asset was given a margin percentage value based on a "default scenario" to provide a conservative numerical value for each asset and determine if there was adequate collateral to support the proposed debt. Percentages presented in the "default scenario" were derived from the Small Business Administration (SBA) Standard Operating Procedures (SOP). The SBA SOP was used to provide a reliable approach to determine the potential values for all tangible assets identified in the project scope.

Based on the collateral identified to support the proposed debt, BLDC loan is in a collateralized position evidenced by a liquidation LTV of 35%. Through an inter-creditor agreement between the IDA and the BLDC collateral analysis, the BLDC will have a shared first on all business assets identified in this collateral analysis.

**Cash Flow Analysis Assumptions:**

- The cash flow analysis was based on the projections provided by the applicant
- A global cash flow analysis could not be completed due to a lack of K1 financial statements to account for the applicants distributions from their diverse investment portfolios. The absence of the global cash flow is mitigated by the principal's liquidity as

shown on their personal financial statements, the strength of their personal guarantees, and strong equity position in the total cost of the project.

- Administration Costs were estimated at 20% to account for the potential costs associated with payroll, accounting, and other non-operating expenses of the dairy operation
- Distributions were estimated at 36% (marginal tax rate) to account for tax liabilities for each of the partner shares in the company
- New York State Excelsior Tax Credits will be received and distributed to the principals for over a 10 year period. These tax credits will be distributed based on the number of jobs created within this projected time frame.
- In cash flows analysis, distributions were estimated at 36% and the impact of the NYS Tax Credits were applied to show the company's true cash flow potential

### Cash Flow Analysis:

After conducting a review of the financial information provided, modifications were applied to these projected financial documents to account for potential non-operating expenses associated with the production aspects of the dairy plant.

Given the uniqueness of the market structure for kosher dairy production, comparable trends were not readily available to effectively determine the accuracy of the projected financial statements. To mitigate this, a breakeven analysis was created to show a less aggressive sales growth in first year of operations.

A Breakeven Analysis was created to show the business break-even point: the point at which no profits have been made or losses have been incurred. In this breakeven analysis, the modified financial information assumed a \$3,894,343 decrease in projected revenues for the year 2014, while keeping constant Cost of Goods Sold (COGS), and the total annual outstanding business debt. Based on the assumptions used, the company could realize approximately a 50% decrease in anticipated revenue and still meet their projected debt service requirement.

### Risks:

- This is a start-up operation
- The operations of the company place emphases on the kosher production, which is a highly competitive niche market
- There is a limited demographic and geographic market for distribution
- Initially, the plant operations will consist of a limited product line
- There are limited suppliers for kosher products

### Mitigates:

- The BLDC is in a collateralized position
- The borrowers have strong personal guarantees
- The owners are injecting substantial equity into the project
- The owners of the company have the resources and knowledge to effectively run the production and distribution aspects of the business
- The owners of the business are observant of kosher practices in the Judaic religion and understand the culture and religious process of producing and consuming kosher products.

## BLDC Board of Directors Loan Narrative: Mountain Fresh Dairy, LLC

- Suppliers have agreed to expand production capacity to keep up with growing demand for kosher dairy products
- This project will create more than 100 jobs in the area within a three year time-frame
- The BLDC has limited exposure with a shorter term under the standard guidelines of the Revolving Loan program

### **Recommendation:**

The project proposed above fulfills the fundamental eligibility criteria for the BLDC Revolving Fund Loan program. The major factor that should be considered in the evaluation of this loan proposal includes the level of risk as it relates to the kosher dairy industry.

Despite these potential risks, the applicants have direct experience and knowledge of the kosher market and religious traditions of the Hassidic Jewish community, with a success record in complementary business ventures that will provide Mountain Fresh Dairy direct access into this niche market. Furthermore, to effectively run the business and achieve the level of success forecasted, the applicants will hire local employees consisting of people with extensive experience in the dairy production industry.

Based on review of the business plan, financial documents, and meetings with the principals, Mountain Fresh Dairy demonstrates to have solid potential to become a viable local dairy operation

On Thursday, October 10, 2013, four of the members of the BLDC Loan Committee met to review the loan package and supported the staff's recommendation to bring this proposal forward to the Board of Directors for final approval.

### **Conditions of Loan:**

- Prepared quarterly financial statement provided to the BLDC Staff for the first year of operations
- Site inspection upon the completion of build out and receipt of Certificate of Occupancy
- The project receives the appropriate approvals from the City of Binghamton Department of Planning prior to the release of funds