



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Renna, City Council President
Angela Holmes, City Clerk

CITY COUNCIL WORK SESSION AGENDA City Council Work Room, 38 Hawley Street, Binghamton Monday March 3, 2014

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	PW/Parks	Motsavage	RL 14-28: Supplemental Agreement for Construction & Construction Inspection for Front Street Reconstruction	3-6	Philip T. Krey
6:15pm	Employees	Berg	RL 14-22: Request to Transfer Funds in 2014 Department of Public Works Budget to Fund Assistant Street Maintenance Supervisor Position	1	Gary Holmes
6:30pm	-----	-----	Discussion: Review of Traffic Board Meeting Minutes & Decisions	8-10	Council President Renna
	-----	-----	Discussion: Review Broome County Comments on RL 13-224, Proposed Amendments to Sign Regulations	11-13	
	-----	-----	Discussion: Review Proposed Amendments to Introductory Ordinance 14-8, Maintenance of the Traffic Code	-----	
	-----	-----	Discussion: Review of the Public Arts Commission Advisory Board Discussion: Review Committee Reports & Pending Legislation	-----	
6:45pm	Employees	Berg	RL 14-27: Establishing & Funding Police Officer Position in 2014 Budget	2	Joseph T. Zikuski
7:15pm	Finance	Berg	RL 14-29: Establishing & Funding Expense Lines for the Zoning Board of Appeals & Planning Commission	7	Jennifer Taylor

COMMITTEE REPORTS

Employees Committee: Berg (Chair), Webb, Papastrat

1. Potential amendments to residency requirements for City of Binghamton employees.
2. RL 13-225, "A Resolution amending the PBA Agreement from 2012-2014 regarding the salary grid for police officers hired after January 1, 2013".
3. RL 14-24, "An Ordinance amending Section 124-17.B(1) of the Code of the City of Binghamton, regarding Annual Leave".

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

1. Potential amendments to the City of Binghamton's noise ordinance regulations.
2. Potential amendments to the City of Binghamton's license regulations concerning Peddlers, Stationary Pushcart Vendors, and Charitable Solicitors.



Legislative Branch

RL Number:
14-22
 Date Submitted:
2/10/14

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: Gary Holmes

Title/Department: Commissioner of Public Works

Contact Information: 772-7021

RL Information

Proposed Title: Amend the 2014 budget A8160.51000 *Correct heading*

Suggested Content: Defund Street Maintenance Supervisor @24.88(upgrade) 1@\$51,750.40

and move monies to the Assistant Supervisor position (0 at \$48,713.60)

Additional Information

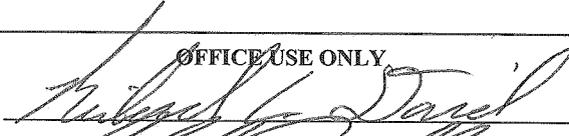
Does this RL concern grant funding? Yes No

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:

14-27

Date Submitted:

2/26/14

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Chief Joseph T. Zikuski
Title/Department: Chief/Police Department
Contact Information: 772-7090

RL Information

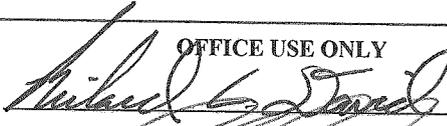
Proposed Title: Increase (temporarily) Police Department sworn staff from 131 to 132 from March 4th until June 10, 2014.

Suggested Content: Police Officer is retiring June 9th and would like to replace him in academy which starts on 3/17/14. We are hiring recruits 3/3/14 to prepare them for the academy.

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:
14-28
 Date Submitted:
2/27/14

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

REQUEST FOR LEGISLATION

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Applicant Information

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

RL Information

Proposed Title: Supplemental Agreement #3 with NYSDOT for Front Street Reconstruction at Clinton Street (PIN No. 9752.74) for Construction and Construction Inspection.

Suggested Content: Supplemental Agreement #3 with NYSDOT provides \$3,000,000 of Federal funding for construction and construction inspection for the Front Street Reconstruction Project at Clinton Street. The city will be reimbursed 100% with Federal HSIP funds. Funding is available in budget line H5120.525023.51809.

Additional Information

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

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

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

REC



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION NINE
44 HAWLEY STREET
BINGHAMTON, NEW YORK 13901-3200
WWW.DOT.NY.GOV

JOHN R. WILLIAMS, P.E.
REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

February 6, 2014

Mr. Philip Krey, P.E.
City Engineer
City of Binghamton
38 Hawley Street
Binghamton, New York 13901

Dear Mr. Krey:

RE: PIN 9752.74, D017713
Front Street Reconstruction at Clinton Street
City of Binghamton, Broome County

Enclosed for processing are five copies of Supplemental Agreement #3 to Federal-Aid/Marchiselli-Aid Project Agreement (D017713) to perform the Preliminary Engineering, Right-of-Way Incidentals and Construction and Construction Supervision and Inspection work. The work involves traffic signal upgrades at the intersection of US Route 11 (Front Street) and Clinton Street and lowering the pavement elevation under the adjacent Norfolk Southern Railroad overpass bridges over US Route 11 (Front Street) in the City of Binghamton, Broome County. This is a Locally Administered Project.

All five copies must have original signatures and all five copies must be notarized. In addition, five certified copies of the necessary City Resolution must accompany the Agreements (a sample resolution is included in the agreement). Please return all five copies to our Regional Office for further processing. A completed copy will be returned to you once the agreement has been fully executed.

The estimated cost for the Construction and Construction Supervision and Inspection work is \$3,000,000. The City will be reimbursed 100% of \$3,000,000 with Federal funds. Therefore, the necessary City Resolution must authorize \$3,000,000 for this phase of the project. Work performed on or after January 29, 2014 will be eligible for reimbursement.

**SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
 NYSDOT/ State-Local Agreement - Schedule A for PIN 9752.74**

OSC Municipal Contract #: D017713 Contract Start Date: 1/13/2013 (mm/dd/yyyy) Contract End Date: 12/31/2015 (mm/dd/yyyy)
 Check, if date changed from the last Schedule A

Purpose: Original Standard Agreement Supplemental Schedule A No. 3

Agreement Type: Locally Administered Municipality/Sponsor (Contract Payee): City of Binghamton
 Other Municipality/Sponsor (if applicable): _____

State Administered List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.

Municipality: _____ % of Cost share
 Municipality: _____ % of Cost share
 Municipality: _____ % of Cost share

Authorized Project Phase(s) to which this Schedule applies: PE/Design ROW Incidentals
 ROW Acquisition Construction/CI/CS

Work Type: HWY RECONST County (If different from Municipality): Broome

Marchiselli Eligible Yes No (Check, if Project Description has changed from last Schedule A):

Project Description: Provide traffic signal upgrades at the intersection of US Route 11 (Front Street) and Clinton Street; lower the pavement elevation under the adjacent Norfolk Southern Railroad...*continued in footnotes

Marchiselli Allocations Approved FOR ALL PHASES To compute Total Costs in the last row and column, right click in each field and select "Update Field."

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input checked="" type="checkbox"/>	Cumulative total for all prior SFYs	\$45,750.00	\$1,050.00	\$0	\$46,800.00
<input type="checkbox"/>	Current SFY	\$	\$	\$	\$ 0.00
Authorized Allocations to Date		\$45,750.00	\$1,050.00	\$ 0.00	\$46,800.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
9752.74.121	Current	STP (80%)	\$305,000.00	\$244,000.00	\$45,750.00	\$15,250.00	\$0.00
	Old		\$305,000.00	\$244,000.00	\$45,750.00	\$15,250.00	\$0.00
9752.74.221	Current	STP (80%)	\$7,000.00	\$5,600.00	\$1,050.00	\$350.00	\$0.00
	Old		\$7,000.00	\$5,600.00	\$1,050.00	\$350.00	\$0.00
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$312,000.00	\$249,600.00	\$46,800.00	\$15,600.00	\$ 0.00

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the rows indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
9752.74.122	Current	HSIP	\$90,000.00	\$90,000.00	\$0.00	\$0.00
	Old	HSIP	\$90,000.00	\$90,000.00	\$0.00	\$0.00
9752.74.321	Current	HSIP	\$3,000,000.00	\$3,000,000.00	\$0.00	\$0.00
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$3,090,000.00	\$3,090,000.00	\$ 0.00	\$ 0.00

C. Total Local Deposit(s) Required for State Administered Projects:	\$0.00
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D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$3,339,600.00	\$46,800.00	\$0.00	\$15,600.00	\$3,402,000.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Linda Halaburka</u> Phone No: <u>607-721-8274</u>
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See Agreement (or Supplemental Agreement Cover) for required contract signatures.



Legislative Branch

RL Number:

14-29

Date Submitted:

2/27/14

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Jennifer Taylor

Title/Department: Acting Director, PHCD

Contact Information: jmtaylor@cityofbinghamton.com

RL Information

Proposed Title: _____

An Ordinance establishing and funding expense lines in the 2014 budget for the Zoning Board of

Appeals and the Planning Commission

Suggested Content: _____

Additional Information

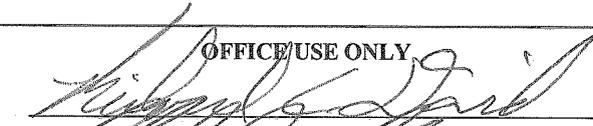
Does this RL concern grant funding? Yes No

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**TRAFFIC BOARD MEETING #991
February 24, 2014**

The meeting was called to order by Mayor R. David at 10:03 AM with the following members present: Phil Krey, Engineering; Bill Berg, Councilman; William Yeager, Assistant Chief of Police

Also attending: D. Correll, Sgt. Retired BPD; D. Petryszyn, Traffic; W. Lescault, Traffic; C. Paddick, BMTS

Approval of the minutes of Traffic Board Meeting #990 held on January 23, 2014

B. Berg made a motion to approve the minutes. P. Krey seconded the motion. Unanimously approved.

OLD BUSINESS

Rutherford Street

D. Correll recommends that 44 feet be added for 2 handicapped parking spaces. Exact measurements still need to be taken due to the weather.

P. Krey made a motion to approve 2 handicapped parking spaces on Rutherford Street, based on pending measurements. B. Berg seconded the motion. Unanimously approved

Handicapped Parking on Court Street

P. Krey reported that he spoke with STIC (Southern Tier Independence Council) and the problem is that people are having a hard time getting to the handicapped ramp safely due to the reverse angle parking. He suggested that we hold off on this item until a decision is made about all of the reverse angle parking spots on Court Street.

No motion.

Handicapped Parking on Hawley Street

D. Correll recommends making the reverse angle handicapped spaces into 2 parallel handicapped parking spaces. This item is on hold until spring.

No motion.

Reverse Angle Parking on Court Street

D. Petryszyn reported that if the current reverse angle spaces are converted into parallel parking spaces, the amount of parking spaces will go from 16 to 11. Mayor David will report back after the downtown parking study is completed.

No motion.

Speed Sign Placement

This item is on hold for now.

Traffic Signal Project

B. Berg reported that City Council discussed this project at the January session and made recommendations based on the BMTS study. Recommendations are listed below.

Intersection Location	City Council Decision
Leroy/St. John Avenue	Would like a complete study of Leroy Street before any signals are removed
Conklin/Telegraph	Would like the signal to stay because of the new Mountain Fresh Dairy Company opening up and the closure of the Exchange St. bridge.
Front St./Broome Health Dept.	Would like the signal to stay until the Front Street Gateway Project is complete to see the new traffic patterns.
Front/North	Remove the signal, no issue
Beethoven/Schubert	Would like the signal to remain
Leroy/Laurel	Would like a complete study of Leroy Street before any signals are removed
Washington/E. Clinton	Would like the signal to remain
Park Ave/Morris	Agreed to remove signal and place a two way stop sign on Morris
Hawley St./Collier	Remove the signal, no issue
Robinson/Mason	School district objected to the removal of the signal
Robinson/Whitney	Remove the signal, no issue
Main/Chestnut	Would like the signal to remain
Main/Schiller	Would like the signal to remain
Front/Leroy	Would like a complete study of Leroy Street before any signals are removed
Oak/Leroy	Would like a complete study of Leroy Street before any signals are removed
Leroy/Beethoven	Would like a complete study of Leroy Street before any signals are removed
North/Front	Remove the signal, no issue
Down Avenue	Would like the signal to remain

B. Berg further reported that Councilwoman Rennia felt that the Leroy Street corridor study was not complete.

C. Paddick has a complete Leroy Street study and will give it to City Council. She will also provide Councilman Motsavage with data study for Front Street and Broome Health Dept intersection.

No motion

Collier Street – One Way

P. Krey met with the Grand Royale Hotel. The hotel owner would still like to change the direction of Collier Street. A letter from the Mayor's office will be sent to the owners stating that once the renovations were complete, the city will consider the request.

No motion.

No Parking – Park Street and Harrison Avenue

D. Correll recommended extending the No Parking zones up to the driveways which would help the turning radius. Traffic still needs to get measurements once the weather conditions improve.

P. Krey made a motion to approve the Park Street No Parking Zone extension. B. Berg seconded the motion. Unanimously approved

P. Krey made a motion to approve Harrison Street No Parking Zone extension. B. Berg seconded the motion. Unanimously approved

Hawley Street Loading Zone

Request was submitted to have a loading zone in this location. Traffic reported that there is already a Loading Zone area in this location.

No motion.

NEW BUSINESSHandicapped Parking at Water Street and Henry Street

A request was submitted to the city asking for handicapped parking warning signs to be installed at Water Street and Henry Street. D. Petryszyn reported that there are no signs like this anywhere in the city. Mayor David will reach out to the person who made the request and let them know that the city does not post signs like that.

No motion.

248 Robinson Street

D. Petryszyn reported that he has called the person who made the request several time to let her know that the city does not install individual exempt from Alternate Side Parking signs.

No motion.

Request for Otsenango Street

B. Berg reported on behalf of Councilman Matzo that there are no driveways on this street and that he would like it to be exempt from Alternate Side Parking from Conklin Avenue to Hall Street because there isn't enough room for two cars on the one side. Traffic will look into this and report back.

No motion.

Sherwood Avenue/Mary Street

P. Krey reported that the owner at the corner of Sherwood Avenue and Mary Street would like a guardrail put up because of the ice buildup on the street in front of her home. Cars are sliding into her front yard because they cannot stop at the bottom of the hill. Until the issue is resolved, DPW will salt this area on a daily basis.

R. David made a motion to adjourn. B. Berg seconded the motion. Unanimously approved.

Mayor Richard C. David
Chairman - Traffic Board

ked



Broome County Department of Planning & Economic Development
Debra A. Preston, County Executive . Elaine M. Miller, Commissioner

COVERSHEET

TO: Mr. L'Orange, Hans
Historic Preservation Planner
City of Binghamton
38 Hawley Street
Binghamton, New York 13901
hplorange@cityofbinghamton.com

Binghamton City Council
38 Hawley Street
Binghamton, New York 13901
clerk@cityofbinghamton.com

Mr. John Stella, Chair
Planning Commission
City of Binghamton
38 Hawley Street
Binghamton, New York 13901
jestella@stny.rr.com

FROM: Lora Zier, Senior Planner

DATE: February 19, 2014

NUMBER OF PAGES, INCLUDING COVER PAGE: 3

COMMENTS:



Broome County Department of Planning & Economic Development

Debra A. Preston, County Executive . Elaine M. Miller, Commissioner

February 19, 2014

Binghamton City Council
City of Binghamton
38 Hawley Street
Binghamton, New York 13901

Mr. John Stella, Chair, Planning Commission
City of Binghamton
38 Hawley Street
Binghamton, New York 13901

RE: Review Pursuant to Section 239-l and -m of the General Municipal Law

Dear Members of Council and Mr. Stella:

The Broome County Department of Planning and Economic Development has received your request for review of the below captioned matter:

Applicant: City of Binghamton
Project: Zoning Text Change: replacement of City's Sign Ordinance
Municipality: City of Binghamton
Tax Map No: citywide
BC Case: 239-2014-013

The Planning Department has reviewed the above-cited case and has not identified any significant countywide or inter-community impacts associated with the proposed project. This Department provides the following recommendations for your consideration:

- Section 410-61: Home Occupation signs and Raceways should be defined.
- The City should ensure that home occupation signs are adequately addressed in Section 410-66 and elsewhere in the sign ordinance and consider whether the sign ordinance should address home occupation signs requested for commercial district lofts and apartments.
- Section 410-62 F. 4: The City should ensure that it intends that sign illumination shall be limited to the hours of operation for the business unit with which the sign is associated.
- Pictorial examples of the Preferred Design Criteria (Section 410-63 B), Permanent Sign Types (Section 410-67.1) and Temporary Sign Types (Section 410-67.2) would be helpful.
- The City should consider whether the sections pertaining to the Signs Specifically Prohibited, All Districts and Signs Allowed by Right should be referenced in the Sign Matrix in Section 410-66.
- The City should ensure that the sign ordinance adequately addresses the square footage calculations for signs consisting of bullet point or unframed lines of text.

The case file was forwarded to the Towns of Dickinson, Kirkwood, Conklin, Binghamton and Vestal and Villages of Johnson City and Port Dickinson because their municipal borders are located within 500 feet of the project.



Broome County Department of Planning & Economic Development

Debra A. Preston, County Executive . Elaine M. Miller, Commissioner

Binghamton City Council
Mr. John Stella, Chair, Planning Commission
February 19, 2014
Page 2 of 2

Please submit a copy of your decision in this case within seven (7) days of taking action so it can be included in the case record.

Thank you for your cooperation.

Sincerely,

Ms. Elaine Miller
Commissioner

EM/lmz

cc: Mr. L'Orange, Hans, Historic Preservation Planner
BC file copy