



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 June 16, 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
5:00pm	-----	-----	Discussion: Main/Court Street Corridor Zoning Plan	-----	-----
6:00pm	Finance	Berg	RL 14-86: Approving the FY 2014 HUD Entitlement Budget	2	Marty Doorey, Jennie Skeadas-Sherry, Jennifer Taylor
6:30pm	-----	-----	Discussion: Shade Tree Commission Appointment	26-27	Jennie Skeadas-Sherry, Jennifer Taylor
6:45pm	-----	-----	Discussion: Holiday Lights & Decorations for Downtown Binghamton	-----	Ren Fanning
7:00pm	MPA	Motsavage	RL 14-92: Agreement with Binghamton City School District for School Resource Officers	19-25	Jared Kraham, Joseph T. Zikuski
7:15pm	Finance	Berg	RL 14-88: Agreement with Delta Engineers for Design & Construction Inspection of Exchange Street Bridge Rehab Project	5-7	Philip T. Krey
	Finance	Berg	RL 14-89: Supplemental Agreement with Shumaker Engineers for Construction Inspection of Court Street Gateway Project	8-12	
	Finance	Berg	RL 14-90: Agreement with NYSDOT for Design of South Washington Street Pedestrian Bridge Rehab Project	13-17	
7:30pm	Finance	Berg	RL 14-87: Transfer in 2014 Risk Management Budget for Legal Services	3-4	Kenneth J. Frank
7:45pm	MPA	Motsavage	RL 14-85: Free Parking in Municipal Ramps for July Fest Patrons	1	Angela Holmes
	MPA	Motsavage	RL 14-91: Resolution Urging Broome County to Not Close the Broome County Mental Health Clinic	18	
8:00pm	-----	-----	Discussion: Review of Committee Reports and Pending Legislation	-----	Council Majority Leader Motsavage

COMMITTEE REPORTS

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 regulations pertaining to mobile food vendor establishments.



Legislative Branch

RL Number:
14-85
 Date Submitted:
6/3/14

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: Angela Holmes

Title/Department: City Clerk

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

RL Information

Proposed Title: A Resolution authorizing free parking July 10-13, 2014 for July Fest

Suggested Content: Free parking for all patrons of July Fest from 5:00 A.M. to 10:00 P.M.

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

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



Legislative Branch

RL Number:

14-86

Date Submitted:

6/4/14

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: Grants Administrator, PHCD

Contact Information: jmtaylor@cityofbinghamton.com

RL Information

Proposed Title: An ordinance authorizing the Mayor to submit the Fiscal Year 40 Annual

Action Plan and to accept any and all funds allocated by the U.S. Department of Housing and Urban

Development from the CDBG, ESG, and HOME entitlement programs

Suggested Content: To be drafted by Corporation Counsel

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

OFFICE USE ONLY	
Mayor:	<u>Michael G. Soria</u>
Comptroller:	<u>Guido R. ...</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"/>



Legislative Branch

RL Number:
14-87
Date Submitted:
6/11/14

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

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Kenneth Frank
Title/Department: Corporation Counsel
Contact Information: 77207013

RL Information

Proposed Title: AN ORDINANCE AMENDING THE 2014 RISK MANAGEMENT BUDGET
TO TRANSFER \$30,000 FROM BUDGET LINE M1910.54900 (PROV. FOR INCURRED LOSS) TO
BUDGET LINE M1910.54430 (LEGAL SERVICES)
Suggested Content: TBD BY CORP. COUNSEL

Additional Information

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

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

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



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: 6/3/2014

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

To cover incoming bill from outside counsel

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
M1910.54900 (Incurred Loss)	M1910.54430 (Legal Services)	\$30,000.00

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: [Handwritten Signature]

Date: 6/4/14

OFFICE USE ONLY

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

Signature: [Handwritten Signature]

Date: 6/4/2014

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 6/4/14. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: [Handwritten Signature]

Date: 6/4/14

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

Signature: _____

Date: _____



Legislative Branch

RL Number:
14-88
Date Submitted:
6/13/14

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. PTK

Title/Department: City Engineer/Engineering Department

Contact Information: Phone: 772-7007 E-mail: ptkrey@cityofbinghamton.com

RL Information

Proposed Title: Agreement with Delta Engineers for additional design and Construction

Inspection (C.I.) for the Exchange Street Bridge Rehabilitation Project, PIN 9753.10

Suggested Content: This supplemental agreement includes \$12,739 for additional design tasks,

and \$114,242 for anticipated construction inspection fees. The project is funded 80% federal and

15% State Marchiselli (anticipated). Funding is available as follows: \$12,739 in H5120.525028.20208,

(Exchange Street Bridge) and \$114,242 in H5120.525137.40914, (Exchange Street Bridge Reconstruction)

TOTAL = \$126,981.00

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>Michael G. Dowd</u>				
Comptroller:	<u>[Signature]</u> 6-12-14				
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"/>

May 16, 2014

Mr. Philip Krey, PE, City Engineer
City of Binghamton
38 Hawley Street, 3rd Floor
Binghamton, NY 13901-3776

**RE: PIN 9753.10 Exchange Street over Susquehanna River
BIN 2226160
Supplemental Agreement No. 2
Delta Project No.: 2008.160.001**

Dear Mr. Krey:

This supplemental agreement modifies the original agreement approved by the City of Binghamton on October 5, 2009, as modified by Supplemental Agreement No. 1 signed on March 11, 2013 for the reference project as follows:

Delta Engineers, Architects & Land Surveyors, PC proposes to provide the following extra work as described and in accordance with Attachments A, B & C:

- Supplemental design services for an amount of \$12,739. The Fixed Fee portion of the design fee will be increased from the current amount of \$22,915 to \$24,577.
- Supplemental construction inspection services for an amount of \$114,242.
- The total (Not to Exceed) amount for this contract will increase from the current amount of \$209,062 to \$336,043.

Please have one copy of this letter signed by an authorized representative of the City of Binghamton and returned to us.

Signed: _____ Date: _____

Respectfully,
DELTA ENGINEERS, ARCHITECTS, & LAND SURVEYORS, P.C.



David L. Kennicutt, PE
Project Manager

Enc.



Legislative Branch

RL Number:
19-89
Date Submitted:
6/13/19

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. *PTK*
 Title/Department: City Engineer/Engineering Department
 Contact Information: Phone: 772-7007 E-mail: ptkrey@cityofbinghamton.com

RL Information

Proposed Title: Supplemental Agreement No. 4 with Shumaker Consulting Engineers for
 Additional Construction Inspection services on Court Street Gateway, PIN 9753.06

Suggested Content: Supplemental Agreement No. 4 for \$60,000 for additional C.I. on Court Street
 Gateway, PIN 9753.06. Funding is available in budget line H5112.525017.20208 (Court Street Gateway)
 Project has 80% federal, 15% State Marchiselli funding.

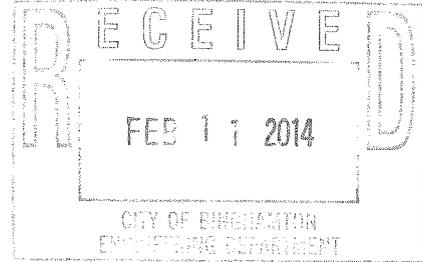
Additional Information

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:	<i>Michael J. Dowd</i>				
Comptroller:	<i>[Signature]</i> 6.10.2019				
Corporation Counsel:	<i>[Signature]</i>				
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"/>

February 10, 2014



Mr. Philip T. Krey, P.E.
City Engineer
City of Binghamton
38 Hawley Street, 3rd Floor
Binghamton, NY 13901

**Re: PIN 9753.06 New York State Route 11
Court Street Gateway Improvement Project
City of Binghamton, Broome County
Revised Supplemental Agreement No. 4, Construction Observation Services**

Dear Mr. Krey:

Per our meeting of January 29, 2014, Shumaker Consulting Engineering and Land Surveying, P.C. (SCE) is pleased to submit this revised supplemental agreement for the above referenced project amending our requests dated May 1, 2013 and revised on October 29, 2013.

Shumaker Consulting Engineering and Land Surveying, D.P.C. (SCE) and our subcontractor, Atlantic Testing Laboratories, (ATL) have provided extra work associated with the above referenced project and have worked at risk to continue with construction observation, project closeout, and management to keep the project both on schedule and compliant with funding agency requirements.

We submit, attached to this letter and described below, justification for extra work to be included in Supplemental Agreement No. 4 to the original Construction Observation Supplemental Agreement (SA No. 3) executed November 3, 2011, to the original contract that was executed July 23, 2005.

The estimated additional fee required for SCE to complete this project is \$73,400, however upon negotiations with the City, SCE is requesting \$60,000.

Funding for this Supplemental Agreement will remain within the overall project construction budget since there is a deduct Change Order (No. 5) for the construction contractor, Barrett Paving Materials Incorporated (BPMI), in the amount of \$154,532.18.

The following justification relates to the Scope of Services section and task numbering included in the original agreement:

Section 9/10 – Construction Observation / Estimating & Technical Assumptions

Section 9 Construction duration increased from the assumed work duration of 234 calendar days (350 calendar days less 4 month winter shutdown) to 457 calendar days (BPM COs # 6 & #7) without a 4 month winter shutdown.

There was a reduction in BPM efforts during the anticipated winter shut down but the contractor was on site almost weekly as weather allowed. Our inspection staff was required by funding agencies to be on-site when work was being progressed.

Overtime was budgeted for 10 hours per week but actual overtime for the inspection staff exceeded the budget by \$27,837.20. This was due in part to staggered work hours of the prime and subcontractors, Saturdays, and a reduced CO staff (due to limits of overtime to City inspectors assigned to this project requiring a greater effort by SCE).

Additionally APPIA software license had to be extended and ATL services were required for additional testing this spring.

If you have any questions or comments, please contact me at 607-798-8081.

Very truly yours,

**SHUMAKER CONSULTING ENGINEERING
& LAND SURVEYING, D.P.C.**



Joseph Bayer, P.E.
Senior Managing Engineer

JB/jmp

Enclosures

cc: Ron Coleman, PE, NYSDOT (w/o enclosures)

Attachment A

Architectural/Engineering Consultant Agreement
Project Description and Funding

PIN: 9753.06

Term of Agreement

Ends: March 31, 2014

BIN:

Main Agreement Amendment to Agreement [add identifying #]

Supplement to Agreement [Supplemental No. 4]

Phase of Project Consultant to work on:

P.E./Design ROW Incidentals ROW Acquisition

Construction, C/I

Dates or term of Consultant Performance:

Start Date: October 3, 2011

Finish Date: March 31, 2014

PROJECT DESCRIPTION:

Additional Services to Provide Construction Observation for the Court Street Gateway Project from the Hawley Street/Water Street intersection to the Chenango Street/Exchange Street Intersection along Court Street

Project Location:

City of Binghamton; Broome County; Court Street from Hawley Street/Water Street intersection to the Chenango Street/Exchange Street Intersection

Consultant Work Type(s): See Attachment B for more detailed Task List.

MAXIMUM AMOUNT OF FUNDS FOR ALL COMPENSATION PAYABLE UNDER THIS AGREEMENT FOR THE SCOPE OF WORK DESCRIBED IN ATTACHMENT B FOR THE PROJECT DESCRIBED IN THIS ATTACHMENT A, OTHERWISE IN ACCORDANCE WITH THE CHOSEN METHOD OF COMPENSATION AND OTHER TERMS OF THIS AGREEMENT.

\$ 60,000.00

SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, P.C.
 Court Street Gateway Improvement Project Construction Observation
 - SA Agreement
 Broome County

Item IA, Billing Rate Salaries (estimated) subject to audit	\$69,308.36
Item IB, Direct Technical Salaries, Premium Portion of Overtime (estimated) subject to audit	\$0.00
Item II, Direct Non- Salary Cost (estimated) subject to audit	\$0.00
Item II Direct Non- Salary Cost (estimated) subject to audit (Subcontractor/Subconsultant Cost)	\$4,100.00
Markup - Direct Expenses	\$0.00
Markup - Subcontractor/Subconsultant Costs	\$0.00
Total Estimated Cost	----- \$ 73,408.36 =====



Legislative Branch

RL Number:

14-90

Date Submitted:

6/13/14

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

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Applicant Information

Request submitted by: Philip T. Krey, P.E. *PK*

Title/Department: City Engineer/Engineering Department

Contact Information: Phone: 772-7007 E-mail: ptkrey@cityofbinghamton.com

RL Information

Proposed Title: Agreement with NYSDOT for the design of the South Washington Street

Pedestrian Bridge Rehabilitation Project, PIN 9753.96

Suggested Content: This agreement provides 80% federal funding of the total contract amount of \$75,000 for anticipated consultant design fees. 15% State Marchiselli funding is not anticipated. Funding is available in budget line H5120.525119.40914 (So. Washington Street Bridge Rehab.)

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

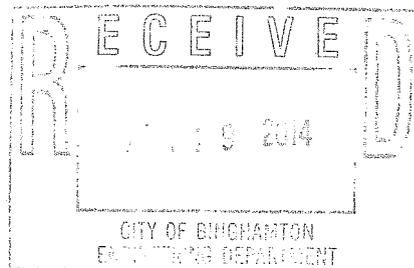
Is RL related to previously adopted legislation? Yes No

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

OFFICE USE ONLY	
Mayor:	<i>Michael L. David</i>
Comptroller:	<i>[Signature]</i> 6-10-14
Corporation Counsel:	<i>[Signature]</i>
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"/>



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

April 24, 2014

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

Dear Mr. Krey:

**RE: PIN 975396, D034719, BIN 2226170
SOUTH WASHINGTON STREET PEDESTRIAN BRIDGE
CITY OF BINGHAMTON, BROOME COUNTY**

Enclosed for processing are five copies of Master Federal-Aid Local Project Agreement (D034719) to perform the Preliminary Engineering and Design work. The work involves repairs to the South Washington Street Pedestrian Bridge 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 Resolution must accompany the Agreements (a sample resolution is included in this 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 Preliminary Engineering and Design work is \$75,000. The City will be reimbursed 80% of \$75,000, or \$60,000, with Federal funds. Please refer to the footnote on page 3 of Schedule A regarding State Marchiselli reimbursement. Therefore, the necessary City Resolution must authorize \$75,000 for this phase of the project. Work performed on or after April 17, 2014 will be eligible for reimbursement.

Please note a change regarding reimbursement of Federal and Marchiselli funds. Reimbursement of Federal funds and Marchiselli funds (if applicable) will now be made as one payment. These payments will only be as an Electronic Funds Transfer (EFT) by the Office of the State Comptroller. If you had been receiving EFT payments for your Federal reimbursements, then you will continue to receive your Federal and Marchiselli reimbursement by EFT. If you were not receiving Federal reimbursements by EFT, then you must submit an EFT Authorization Form to the Office of the State Comptroller. This form may be obtained on OSC's website at <http://www.osc.state.ny.us/epay> or on the CHIPS website at <https://www.dot.ny.gov/programs/chips>. If you had been receiving Marchiselli reimbursements by EFT, then they would have been by the New York State Thruway Authority and not the Office of the State Comptroller.

**SCHEDULE A - Description of Project Phase, Funding and Deposit Requirements
 NYSDOT/ State-Local Agreement - Schedule A for PIN 9753.96**

OSC Municipal Contract #: D034719	Contract Start Date: 4/17/2014 (mm/dd/yyyy)	Contract End Date: 12/31/2019 (mm/dd/yyyy) <input type="checkbox"/> Check, if date changed from the last Schedule A
---	--	---

Purpose: Original Standard Agreement Supplemental Schedule A No.

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.*

<input type="checkbox"/> Municipality:	% of Cost share
<input type="checkbox"/> Municipality:	% of Cost share
<input type="checkbox"/> Municipality:	% of Cost share

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

Work Type: BR REPAIR **County (If different from Municipality):** Broome

Marchiselli Eligible Yes No (Check, if Project Description has changed from last Schedule A):
Project Description: South Washington Street Pedestrian Bridge (BIN 2226170) over the Susquehanna River, City of Binghamton, Broome County

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 type="checkbox"/>	Cumulative total for all prior SFYs	\$	\$	\$	\$ 0.00
<input type="checkbox"/>	Current SFY	\$	\$	\$	\$ 0.00
Authorized Allocations to Date		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

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)
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

NYS DOT/State-Local Agreement – Schedule A

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 row 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
9753.96.121	Current	STP	\$75,000.00	\$60,000.00	\$0.00	\$15,000.00
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$75,000.00	\$60,000.00	\$ 0.00	\$15,000.00

C. Total Local Deposit(s) Required for State Administered Projects:	\$0.00
--	--------

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)
\$60,000.00	\$0.00	\$0.00	\$15,000.00	\$75,000.00

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>
--	---

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

Footnotes: (See [LPB's website](#) for link to sample footnotes)

- At this time the non-Federal share of Project costs identified for Federal aid funding in this agreement is to be provided entirely by the Municipality. No subsidy or reimbursement of any portion of that local match is provided by New York State's Marchiselli Program on this contract at this time. Furthermore, this Agreement does not assure that any Marchiselli aid for the Project or phase hereunder will be authorized or available in the future. If the Project (and the phase of work) is eligible for State aid under the Marchiselli Program, and such aid is duly requested by the Municipality, NYSDOT may (subject to budgetary requirements) submit an appropriate request for Marchiselli funding authorization by the Legislature. If Legislative authorization for such funding is received, NYSDOT and the Municipality may enter into a supplemental agreement providing such Marchiselli aid. Only then would Marchiselli aid be available to the affected Project and phase.

-
-
-
-
-
-
-
-
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-
-



Legislative Branch

RL Number:

14-91

Date Submitted:

6/13/2014

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: Lea Webb

Title/Department: Councilwoman District 4

Contact Information: _____

RL Information

Proposed Title: A Resolution urging Broome County to not close the Broome County Mental Health Clinic

Suggested Content: _____

Additional Information

Does this RL concern grant funding? Yes No

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

Is additional information related to the RL attached? Yes No

Is RL related to previously adopted legislation? Yes No

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

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance Planning MPA PW/Parks Employees Rules/Special Studies



Legislative Branch

RL Number:
14-92
Date Submitted:
6/13/14

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: Joseph Zikuski, Chief of Police

Title/Department: Police Bureau

Contact Information: 772-7090

RL Information

Proposed Title: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SCHOOL RESOURCE OFFICER AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT

Suggested Content: TBD by Corp. Counsel. A draft is attached, subject to final approval by the parties.

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

School Resource Officer Agreement

This Agreement made this ____ day of June, 2014 by and between the Binghamton City School District and the City of Binghamton as follows:

WITNESETH:

WHEREAS, the City of Binghamton (City) agrees to provide the Binghamton City School District (District) with two School Resource Officers (collectively "SRO") to be located at the Middle Schools and the District agrees to pay the City for providing the SRO; and

WHEREAS, the District and the City desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the said SRO in the District;

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

- 1.0 Goals and Objectives** - It is understood and agreed that the District and City officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the Middle Schools:
 - 1.1 Foster educational programs and activities that will increase student knowledge of and respect for the law and the function of law enforcement agencies;
 - 1.2 Report serious crimes that occur on campus and cooperate with the law enforcement officials in their investigation of crimes that occur at school;
 - 1.3 Cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus;
 - 1.4 Provide law enforcement and police services to the school, school grounds and areas adjacent to the school. Investigate allegations of criminal incidents per police department policies and procedures. Enforce state and local laws and ordinances. Make appropriate referrals to juvenile authorities or other governmental agencies.
 - 1.5 Work to prevent juvenile delinquency through close contact and positive relationships with students. The SRO shall conduct security inspections as permitted by law to deter criminal or delinquent activities. The SRO should monitor crime statistics and work with local patrol officers and students together to design crime prevention strategies.
 - 1.6 Establish and maintain a close partnership with school administrators in order to provide for a safe school environment. Assist school officials with their efforts to enforce Board of Education policies and procedures. Ensure school administrator safety by being present during school searches, which may involve weapons, controlled dangerous substances or in such cases that, the student's emotional state may present a risk to the administrator. Assist school administrators in emergency crisis planning and building security matters. Provide a course of training for school personnel in handling crisis situations, which may arise at the school.
 - 1.7 Build working relationships with the school's staff as well as with student and parent groups.
 - 1.8 Work with guidance counselors and other student support staff to assist students and to provide services to students involved in situations where referrals to service agencies are necessary. Assist in conflict resolution efforts.
 - 1.9 Initiate interaction with students in the classroom and general areas of the school building. Promote the profession of police officer and be a positive role model.

2.0 Employment and Assignment of School Resource Officer

- 2.1 Each SRO shall be assigned by the City to the District to be utilized primarily at the Middle Schools reporting directly to the Principal with the Chief as the immediate supervisor.
- 2.2 The District agrees to pay to the City an amount equal to the salary of two SRO Officers on a monthly basis, in the manner described herein.
- 2.3 The City agrees to issue the checks for the SROs' salary and the City agrees to pay for the SROs' employment benefits in accordance with the applicable Collective Bargaining Agreement, salary schedules, and employment practices of the City.
- 2.4 The District agrees that each SRO will be the officer as assigned to each school. The District agrees that if either SRO is absent for any reason; including but not necessarily limited to: in service training, sick leave, annual leave, disability, or workers compensation, then the position of SRO will not be filled by the City with another police officer. If such a situation occurs, the District agrees that it must continue to make payment hereunder subject to the provisions of paragraph 14.3. This provision is not intended to limit rights created by any Collective Bargaining Agreement or any Laws, Statutes or Ordinances, including those which give the City the ability hire, fire, and discipline the SRO, or which gives the City the ability to dispute or deny the following: the performance of the SRO, alleged disabilities, claims for workers' compensation, and claims for 207-c. The SRO shall be subject to all other personnel policies and practices of the City, except as such policies or practices which may have to be modified to comply with the terms and conditions of this Agreement. If it is reasonably believed that either Officer who is assigned as SRO to the District will be absent for more than five (5) consecutive school days, the District has the right to request that a new Officer be assigned as SRO for any period of the extended absence. The City will not unreasonably deny the District's request for a new SRO.
- 2.5 The City, in its sole discretion, shall have the power and authority to hire, discharge and discipline the SRO. The City agrees to defend, hold harmless, and indemnify the District from and against any and all claims, suits or causes of action arising out of SRO's employment by the City and the assignment of the Officer as the SRO at the District; this shall include but not be limited to allegations of unfair or unlawful employment practices brought by the SRO; except where there is intentional misconduct or gross negligence on behalf of the District.
- 2.6 The SRO shall be assigned by the City to the District to be utilized primarily at the Middle Schools.
- 2.7 In the event the SRO is absent from work, the SRO shall notify both his supervisor in the City and the Principal of the school to which the SRO is assigned.

3.0 Duty Hours

- 3.1 The maximum number of hours that a SRO officer shall be on duty in a work week shall be 40 hours. Specific SRO duty hours shall be set by mutual agreement between the District and the City.
- 3.2 The SRO shall be on duty at the school(s) from fifteen minutes before the beginning of the student instructional day until 15 minutes after the end of the students' school day unless modified by the mutual agreement between the City and District.
- 3.3 It is understood and agreed that time spent by the SRO attending court juvenile and/or criminal cases arising from and/or out their employment as an SRO shall be considered as hours worked under this Agreement.

- 3.4 In the event of an emergency the SRO is ordered by the City to leave the school duty station during normal duty hours as described above and to perform other services for the City, the time spent shall not be considered hours worked under this Agreement. In such an event, the monthly compensation paid by the District to the City shall be reduced by the number of hours of SRO service not provided to the District or the hours shall be made up in a manner determined by mutual agreement of the parties.
- 3.5 At the discretion of the District and each SRO, a SRO can also work part-time for the District. Part-time work is separate and distinct from the work defined under this SRO contract. Such Part-time work shall be requested by, and completely paid for by the District, including workers' compensation etc....

4.0 Basic Qualifications of School Resource Officers - To be a SRO, an officer must first meet all of the following basic qualifications:

- 4.1 Shall be a commissioned officer and should have four years of law enforcement experience;
- 4.2 Shall possess a sufficient knowledge of the applicable Federal and State laws, City and County ordinances, and Board of Education policies and regulations;
- 4.3 Shall be capable of conducting criminal investigations;
- 4.4 Shall possess even temperament and set a good example for students; and
- 4.5 Shall possess communication skills, which would enable the officer to function effectively within the school environment.

5.0 Duties of School Resource Officers

- 5.1 To protect lives and property for the citizens and public school students of the District;
- 5.2 To enforce Federal, State and Local criminal laws and ordinances, and to assist school officials with the enforcement of Board of Education Policies and Administrative Regulations regarding student conduct;
- 5.3 To investigate criminal activity committed on or adjacent to school property;
- 5.4 To counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when requested by the Principal or the Principal's designee or by the parents of a student;
- 5.5 To answer questions that students may have about New York State criminal or juvenile laws;
- 5.6 To assist other law enforcement officers with outside investigations concerning students attending the school(s);

6.0 Chain of Command

- 6.1 As an employee of the City, the SRO shall follow the chain of command as set forth in the City Police Department Policies and Procedure Manual.
- 6.2 In the performance of his duties, the SRO shall coordinate and communicate with the Principal or the Principals' designee.

7.0 Training/Briefing

- 7.1 The SRO shall be required by the City to attend training and briefing sessions. These sessions will be held at the direction of the police chief.
- 7.2 Training Sessions will be conducted to provide the SRO with appropriate in-service training such as up-dates in the law and in-service firearm training. The District also may provide training in Board of Education Policies, regulations and procedures.

8.0 Dress Code & Equipment — The SRO shall be required to wear a departmental issued uniform and carry departmental issued equipment including sidearm and radio. The SRO will not be provided a vehicle.

9.0 Investigation, Interrogation, Search and Arrest Procedures — school board policy and police department procedures shall apply.

10.0 Controlled Substances

- 10.1 School officials shall notify the SRO in all cases involving the possession, sale or distribution of controlled substances at school or school activities.
- 10.2 Any controlled substances or suspected controlled substances confiscated by school officials shall be turned over to the SRO for proper identification and eventual destruction.
- 10.3 If there is probable cause to believe that a student or any other person has sold or is selling controlled substances at or near a school, the SRO shall be notified and the SRO should file a juvenile petition or seek a criminal warrant. However, the decision to initiate a juvenile petition or criminal warrant will be the discretion of the SRO.

11.0 Riots and Civil Disorders

- 11.1 In the event a riot or civil disorder occurs the SRO shall act in accordance with the Binghamton Police Department Policies, Procedures and Manuel.
- 11.2 To the extent possible, all communications should be made by telephone to avoid alarming the public and news media.
- 11.3 The Principal or his designee shall be prepared to respond to questions from the news media, parents and other members of the public as soon as order is restored.
- 11.4 if deemed necessary by school and law enforcement officials, the media and the public may be restricted to an area off campus away from the disturbance until order is restored.
- 11.5 The SRO or officer in charge shall consult with the Principal about the need or decision to arrest and/or remove students and other persons from the campus. However, law enforcement officials shall have the authority to arrest and remove any person who commits an offense in their presence.
- 11.6 The names of any students arrested and removed from campus should not be released to the news media until their parents have been notified and in no event shall the names of students under age 16 who have been removed from campus be released to the news media.

12.0 Access to Education Records

12.1 School officials shall allow the SRO to inspect and copy any public records maintained by the school including student directory information such as yearbooks. However, law enforcement officials may not inspect and/or copy confidential student education records except in accordance with Family Education Rights and Privacy Act ("FERPA").

13.0 Term of Agreement - The term of this Agreement is one year commencing on July 1, 2014, through June 30, 2015. This Agreement will be renewed on a yearly basis unless terminated as provided herein. Insofar as the City and District have different fiscal years, any written notice to terminate this Agreement (i) by the District to the City must be mailed by June 1 to terminate on December 31 or by October 15 to terminate on June 30 of the following year or (ii) by the City to the District must be mailed by December 31 to terminate on June 30 of the following year.

14.0 Consideration

14.1 For and in consideration of the City providing the SRO Officers as described herein, the District agrees to reimburse the City the amount of \$100,000 for SRO salaries for the 2014/2015 contract year. Beginning in the 2015/2016 contract year, the District will reimburse the City for the actual salary of the assigned SRO Officers. The annual salaries will be adjusted to include any increases in salary pursuant to any negotiations or revised Collective Bargaining Agreement.

14.2 The District shall pay the said compensation to the City in twelve equal monthly installments on or about the first day of each calendar month. At the beginning of every month, the District shall provide that next month's salary (1/12 of the total salary amount) to the Comptrollers' Office at the following address:

Comptroller's Office
City of Binghamton
38 Hawley Street, 2nd Floor
Binghamton NY 13901.

The checks shall be made payable to the City of Binghamton and will have a notation on each check which will indicate that the check is the payment of the salary of the SRO for a specific month: .i.e., SRO September 2014.

14.3 No reimbursement by the District will be due for any periods of unpaid leave or time off or any periods of leave for which the City is not required to pay the SRO or for which the City receives reimbursement from any other source, in whole or in part.

15.0 Insurance and Indemnification

15.1 The City is self-insured. The City shall provide a certificate of insurance in an amount of not less than Two million dollars (\$2,000,000).

15.2 The City agrees to defend and hold the District its agent and employees free, harmless and indemnified from and against any and all claims, suits or causes of actions arising from or in any way out of the performance of the duties of the SRO or the SRO Program except where there is intentional actions or gross negligence on behalf of the District.

16.0 Evaluation It is mutually agreed that the District shall evaluate annually the SRO Program and shall provide information concerning the performance of each SRO. It is further understood that the District's information is advisory only and that the City is the sole authority to evaluate the performance and take any employment actions concerning the SRO.

Dated: _____ **Dated:** _____

Richard C. David
City of Binghamton, Mayor

Maura Kammerman, President
Binghamton City School District Board of Education

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[REDACTED]
Binghamton New York 13903

Cell: [REDACTED]

Email: [REDACTED]

04-07-14P02:50 RCVD

April 4, 2014

City of Binghamton
Department of Planning, Housing & Community Development
Shade Tree Commission
38 Hawley Street
Binghamton, NY 13901

To Whom It May Concern:

I include my resume with this letter because I am interesting in serving on the Shade Tree Commission. I have lived in Binghamton for most of my life and am interested in helping the city and the environment.

I understand that this is a City Council appointment. Please let me know if you need any additional information. I look forward to hearing from you.

Thank you.

Sincerely,

Makayla Martinkovic



MAKAYLA MARTINKOVIC

[REDACTED]
Binghamton New York 13903

Cell: [REDACTED]

Email: [REDACTED]

Work History

Counter Server (12/2013 to present)
Nirchi's Pizza, Binghamton, New York

My job is to oversee the daily operations of the restaurant. This includes: taking food orders, answering the phone, serving customers, keeping supplies replenished, and maintaining the general cleanliness of the store.

Education

Binghamton High School
Binghamton, New York
Diploma anticipated 2015

I am currently a Junior at Binghamton High school. I am interested in science so that I may ultimate obtain a college degree in Physical Therapy.

My current GPA is 90
Enrolled in Environmental Science with a current grade of 98
Interested in Global History and International Current Events
Enrolled in an advance Drama class

Memberships

St. John and Andrew Catholic Church
Volunteered at the Thanksgiving Dinner for senior citizens in the community (2009-2011)
Assembled food baskets for disadvantaged community members at Thanksgiving (2013)

Language Skills

Studied Spanish at Binghamton High School for 3 years
Currently enrolled in American Sign Language

Athletics and Extracurricular Activities

Binghamton City Soccer League (2006-2014)
St. John's Soccer Team (2006-2008)
Cheerleader for Middle School CYO Basketball Team (2009-2011)
Baton (1999-2001)
Dance (2006-2013)

References

Ms. Wilczynski, Science Teacher
Binghamton High School, Binghamton, New York
607.762-8259