



# LEGISLATIVE BRANCH      CITY OF BINGHAMTON

Teri Rennia, City Council President  
Angela Holmes, City Clerk

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**CITY COUNCIL WORK SESSION AGENDA**  
**City Council Work Room, 38 Hawley Street, Binghamton**  
**Monday August 18, 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	-----	-----	<b>Discussion:</b> Raising Funds for Carousel Recovery & Maintenance	-----	Elizabeth Rounds
6:15pm	-----	-----	<b>Discussion:</b> Main/Court Street Corridor Zoning Plan	-----	Jennie Skeadas-Sherry
6:45pm	Finance	Berg	<b>RL 14-116:</b> Transferring \$250,000 in Binghamton-Johnson City Joint Sewage Board 2014 Budget for BIOSTYR Pilot Study	1-5	Chuck Shager
	Finance	Berg	<b>RL 14-117:</b> Amending 2014 Capital Budget for Ross Park Amphitheater	6	
7:00pm	-----	-----	<b>Discussion:</b> On-Street Parking Permits for Elm Street Residents	-----	Councilman Motsavage
7:15pm	Finance	Berg	<b>RL 14-118:</b> Increasing revenue and appropriation to cover the demolition cost of 2 Brown Street	7	Kenneth J. Frank
7:30pm	-----	-----	<b>Discussion:</b> Review of Sale of 24 Livingston Street	8-9	Councilman Berg; Councilman Matzo
7:45pm	-----	-----	<b>Discussion:</b> Review of Committee Reports & Pending Legislation	-----	Council President Pro Tem Webb

## 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.

### **Employees Committee: Berg (Chair), Webb, Papastrat**

Salaries for employees not covered by collective bargaining agreements.



# Legislative Branch

RL Number:  
14-116

Date Submitted:  
8/14/14

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: Binghamton-Johnson City Joint Sewage Board

Title/Department: \_\_\_\_\_

Contact Information: Chuck Shager, Comptroller (772-7046), ceshager@cityofbinghamton.com

### RL Information

Proposed Title: AN ORDINANCE AUTHORIZING THE TRANSFER OF \$250,000 IN THE 2014 JOINT SEWAGE BOARD BUDGET TO FUND A BIOSTYR® PILOT STUDY.

Suggested Content: \_\_\_\_\_  
(please see proposed legislation wording attached)

\*\*\*\*\* EXPEDITED VOTING IS REQUESTED AT 08/20/14 COUNCIL BUSINESS MEETING \*\*\*\*\*

### Additional Information

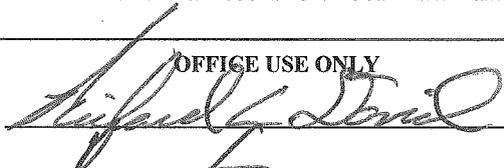
Does this RL concern grant funding? Yes  No

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): P.Res. 14-50 & budget

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"/>

**CERTIFICATE OF RESOLUTION OF  
THE BINGHAMTON-JOHNSON CITY JOINT SEWAGE BOARD  
REGARDING: BUDGET TRANSFERS FOR BIOSTYR® PILOT STUDY**

I, Michele Cuevas, Confidential Secretary of the Binghamton-Johnson City Joint Sewage Board, DO HEREBY CERTIFY that, at the regular meeting of the Binghamton-Johnson City Joint Sewage Board held on August 12, 2014, duly convened and a quorum being present and participating throughout the subject action set forth below, the following RESOLUTION[S] was/were duly adopted on motion duly made, seconded, and carried, which RESOLUTION[S] remain in full force and effect:

Board Members present:

Eugene Hulbert, Sr. (Chairman), George Kolba, Jr. (Vice-Chairman), Edward Crumb, Stephen Andrew, Ron C. Davis, and Gary Holmes

Board Member[s] absent:

(none)

**Motion made by Edward Crumb to approve and direct the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to make the following budget transfers:**

**[i] \$162,500 from Operating budget line J8130.55000 (“Contingency”) to Operating budget line J8130.54410.J0BAF (“Professional Services – BAF Remediation”), and**

**[ii] \$87,500 from Operating budget line J8130.54202 (“Electricity”) to Operating budget line J8130.54410.J0BAF (“Professional Services – BAF Remediation”),**

**to be used for funding the BioSTYR® Pilot Study required to be performed under the Modification Consent Order with the New York State Department of Environmental Conservation from September 1, 2014 through July 1, 2015, seconded by Ron C. Davis.**

**Motion carried: 6 ayes, 0 nay, 0 absent**

I HEREBY CERTIFY that the foregoing is a true and complete copy of the resolution[s] duly adopted at the aforesaid meeting of the Joint Sewage Board in accordance with the provisions of said Board's By-Laws, that the resolution[s] has/have not in any way been

rescinded or annulled, and that the resolution[s] is/are still in full force and effect.

**IN WITNESS WHEREOF**, I have hereunto set my hand as Confidential Secretary of the Joint Sewage Board, this 13<sup>th</sup> day of August, 2014.

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Michele Cuevas,  
Confidential Secretary

ATTEST: \_\_\_\_\_  
Board Officer

PROPOSED LEGISLATION WORDING

**ORDINANCE**  
*entitled*

AN ORDINANCE AUTHORIZING THE TRANSFER OF \$250,000 WITHIN THE 2014 JOINT SEWAGE BOARD BUDGET TO FUND A BIOSTYR® PILOT STUDY.

WHEREAS, the City of Binghamton is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Plant (the "JSTP") with the Village of Johnson City; and

WHEREAS, the JSTP is operated pursuant to an Intermunicipal Agreement as amended from time to time; and

WHEREAS, Section 23 of the Intermunicipal Agreement sets forth the procedure to be followed by the Joint Sewage Board ("Sewage Board") to obtain approval of mid-year budget transfers that do not increase the budgeted expenses for the Joint Sewage Project; and

WHEREAS, a majority of the members of the Owners' legislative bodies must vote to approve budget transfers that, cumulatively, exceed \$20,000.00 during any year; and

WHEREAS, pursuant to the Modification Consent Order duly approved by Council (Perm. Res. 14-50), it is required that a BioSTYR® Pilot Study be performed from September 1, 2014 through July 1, 2015; and

WHEREAS, the Sewage Board, City Comptroller and Sewage Board Fiscal Officer have identified the funds needed to accommodate the Owners' need to perform the Pilot Study,

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

Section 1. That the Joint Sewage Board Fiscal Officer is directed and authorized to transfer \$250,000.00 in unencumbered funds to 2014 Joint Sewage Board operating budget line J8130.54410.J0BAF ("PROFESSIONAL SERVICES – BAF REMEDIATION") from the following 2014 operating budget lines, in the following amounts:

from J8130.55000 ("CONTINGENCY") in the amount of \$162,500.00; and

from J8130.54202 ("ELECTRICITY") in the amount of \$87,500.00;

and

Section 2. That this ordinance shall take effect immediately upon the approval of a majority of the legislative body of the Village.

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

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CLARENCE E. "CHUCK" SHAGER, Comptroller  
and Joint Sewage Board Fiscal Officer



# Legislative Branch

RL Number:  
14-117  
Date Submitted:  
8/18/14

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Chuck Shager

Title/Department: Comptroller

Contact Information: phone 607-772-7046, email ceshager@cityofbinghamton.com

### RL Information

Proposed Title: AN ORDINANCE AMENDING THE 2014 CAPITAL BUDGET ROSS PARK AMPHITHEATER ADDING REVENUE H43089.EG001 (STATE AID PARKS) AND EXPENSE LINE H1440.555555.EG01-ROSS PARK AMPHITHEATER IN THE AMOUNT OF \$430,000.

Suggested Content: TO SET UP THE BUDGET LINES THAT WERE NOT SET UP IN THE ORIGINAL RESOLUTION R11-2

### Additional Information

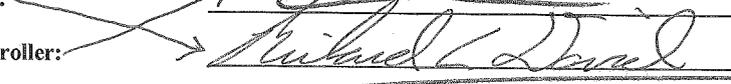
Does this RL concern grant funding? Yes  No

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): R11-2

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



# Legislative Branch

RL Number:

19-118

Date Submitted:

8/18/14

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: Kenneth Frank

Title/Department: Corporation Counsel

Contact Information: \_\_\_\_\_

### RL Information

Proposed Title: Budget amendment

Suggested Content: Amend 2014 budget to pay for demolition of 2 Brown Street which recently

sustained significant fire damage and is now a public safety hazard. Increase estimated revenue

A.42680 Insurance Recoveries and increase appropriation A1440.54410 Professional Services by

\$41,250.00

### 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: [Signature]

Comptroller: \_\_\_\_\_

Corporation Counsel: [Signature]

Finance  Planning  MPA  PW/Parks  Employees  Rules/Special Studies



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: August 7, 2013

Sponsored by Council Members: Webb, Mihalko, Berg, Motsavage, Matzo, Rennia, Papastrat

Introduced by Committee: Planning and Community Development

ORDINANCE

*entitled*  
AN ORDINANCE AUTHORIZING THE SALE  
OF 24 LIVINGSTON STREET TO RAJA M.  
TARIQ FOR \$17,500.00

WHEREAS, the City of Binghamton is the owner of certain real property located at 24 Livingston Street, New York, Tax Parcel No. 160.65-2-13 (the "Premises"); and

WHEREAS, the City received an Offer to Purchase the Premises for \$17,500.00 from Raja M. Tariq (the "Applicant"); and

WHEREAS, the Assessor of the City of Binghamton has determined the sale price to be fair and equitable subject to the conditions herein; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on July 3, 2013; and

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

Section 1. That the Mayor of the City of Binghamton is hereby authorized to enter into a contract for sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer 24 Livingston Street, Binghamton, New York, Tax Parcel No. 160.65-2-13 to Raja M. Tariq for \$17,500.00, to be paid by cash, certified or local bank check.

Section 2. The transfer is subject to the condition that the Applicant, Raja M. Tariq, must (i) complete repairs to the Premises, including the roof, and obtain a certificate of occupancy or certificate of compliance for such repairs within six months from the date of transfer; and (ii) occupy the Premises as his principal residence for five (5) years beginning thirty (30) days after a certificate of occupancy or certificate of compliance is issued. If the Applicant violates either of said conditions, then he will pay the City an additional \$15,500.00, in accordance with the City Assessor's appraisal of fair market value of the Premises as an investment property.

Section 3. That the Department of Planning, Housing & Community Development will confirm residency at least annually.

Section 4. That this Ordinance shall take effect immediately.

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 8/21/13. Approved by the Mayor on 8/22/13.

*[Signature]*

Introductory No. 013-55

Permanent No. 013-53

Sponsored by City Council Members:  
Webb, Mihaliko, Berg, Motsavage, Matzo, Rennie,  
Papastrat

AN ORDINANCE AUTHORIZING THE SALE OF  
24 LIVINGSTON STREET TO RAJA M. TARIQ  
FOR \$17,500

The within Ordinance was adopted by the Council of  
the City of Binghamton.

Date AUGUST 21, 2013

City Clerk *Raja M. Tariq*

Date Presented to Mayor AUGUST 21, 2013

Date Approved 8/22/13

Mayor *Matthew T. Roy*

First reading legislation occurred at  
the Business Meeting on August 7, 2013

Motion to hold the legislation  
Moved by Berg, seconded by Papastrat

Second reading legislation occurred at  
the Business Meeting on August 21, 2013

Motion to approve the legislation  
Moved by Webb, seconded by Motsavage

Motion to amend the legislation to  
include the following sections:

Section 2. The transfer is subject to  
the condition that the Applicant, Raja  
M. Tariq, must (1) complete repairs to  
the premises, including the roof, and

obtain a certificate of occupancy or  
certificate of compliance for such repairs  
within six months from the date of transfer  
and (4) occupy the premises as his principal  
residence for five (5) years beginning thirty

(30) days after a certificate of occupancy  
or certificate of compliance is issued. If  
the applicant violates either of said conditions: then  
he will pay the City an additional \$15,500 in  
accordance with the City's appraisal of fair market  
of the premises as an investment property

Section 3. That the Department of Planning Housing  
& and Community Development will confirm residency at  
least annually

Moved by Webb seconded by Motsavage  
Voice vote, none opposed

Motion to approve the legislation as amended  
Moved by Webb seconded by Motsavage  
("See Final Vote")

Final Vote			
Ayes	Nays	Abstain	Absent
✓			
✓			
✓			
✓			
✓			
✓			
✓			
7		0	0

Code of the City of Binghamton

Adopted  Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent