



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Tom Scanlon, City Council President  
Leighton Rogers, City Clerk

## CITY COUNCIL WORK SESSION AGENDA City Council Work Room, 38 Hawley St, Binghamton 6pm Tuesday, January 21, 2020

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

Time	Committee	Chair	RL/Topic	Pages	Presenter
6:00pm	Finance	Strawn	<b>RL20-09:</b> Resolution to amend the 2019 VINES Service Program contract budget lines <b>RL20-04:</b> Budget transfer from revolving loan to CDBG Program Income and increase funding for temporary services	9-13	Stephen Carson
6:05pm	Finance	Strawn	<b>*RL20-10:</b> Ordinance to amend the 2019 DPW budget to pay the December tipping fee	1	John Paddock
6:15pm	Finance	Strawn	<b>*RL20-11:</b> Ordinance to amend the 2019 parks budget to encumber a \$10,000 donation from the Dick's Sporting Goods Foundation to be expensed in 2020 <b>*RL20-12:</b> Ordinance to amend Permanent Ordinance 019-100 and the 2019 Parks budget to correct a donation from the Giant's Foundation	2-7	Paul Palmer
6:20pm	Employees	Scaringi	<b>RL20-13:</b> Ordinance to Amend the 2019 Police budget (Detectives only) to change Senior Typist to Program Assistant	8	Trish Keppler
6:30pm	Finance	Strawn	<b>*RL20-15:</b> Ordinance to amend the BJCSB budget to increase the appropriations for water expense <b>*RL20-16:</b> Ordinance to amend the BJCSB budget to increase the appropriations for capital equipment to remove grit before the fine-screen compactors <b>*RL20-18:</b> Ordinance to amend the BJCSB Budget to increase the appropriations for capital repairs to rehabilitate the deteriorating walls of the Settling Basin 1 through 6 <b>RL20-19:</b> Ordinance to amend the BJCSB Budget to increase the appropriations for Unemployment Insurance	14-15b	Charlie Pearsall
6:45pm	Finance	Strawn	<b>*RL20-07:</b> Ordinance amending the code of the City of Binghamton, Commission on Architecture and Urban Design	16-20	Ken Frank
6:50pm	Finance	Strawn	<b>*RL20-08:</b> Ordinance to amend the 2020 fee schedule to add a fee for a pre-Adoption( birth) certificate pursuant to Public Health Law Section 4138-E <b>RL20-17:</b> Accepting a grant from Enterprise Community Partners in the amount of \$585,000 to support the Cities RISE innovation program	21-31c	Ken Frank & Jared Kraham
6:55pm	Phil	Strawn	<b>RL20-14:</b> Ordinance to amend the 2019 Capital Fund Budget to close bond lines that are no longer active	31d-32	Chuck Shager
7:00pm	-----	-----	<b>Pending Legislation:</b> RL19-282: Amend the 2018 bond ordinance related to the reconstruction of State Street Project RL19-283: 2020 Bond ordinance for capital projects	-----	Leighton Rogers

### COMMITTEE REPORTS

*\*Please Expedite for Next Business Meeting*



Extra date

RL Number: 20-10  
Date Submitted: 1/15/2020

# Legislative Branch

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

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

### Applicant Information

Request submitted by: John Paddock  
Title/Department: Commissioner/Public Works  
Contact Information: jfpaddock@cityofbinghamton.com

### RL Information

Proposed Title: An ordinance authorizing a transfer in the 2019 DPW budget to ~~cover the cost of~~ the December tipping fee. *To Amend the PAY*

Suggested Content: Permission to transfer ~~\$24,630.00~~ from budget line CL9060.58000C-Health Insurance (\$20,000.00) and budget line CL9030.58000B-Social Security (\$4,630.00) to budget line CL8160.54661-Tipping Fees. *\$24,630*

### 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"/>



*Emergency*

# Legislative Branch

RL Number: 20-11  
Date Submitted: 1/15/2020

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Paul Palmer

Title/Department: Commissioner of Parks

Contact Information: 772-7017

### RL Information

Proposed Title: AN ORDINANCE TO AMEND THE 2019 PARKS BUDGET TO ENCUMBER  
A \$10,000 DONATION FROM THE DICK'S SPORTING GOODS FOUNDATION TO BE EXPENSED  
IN 2020

Suggested Content: DICK'S Foundation made a \$10,000 donation to the City in 2019 for athletic  
supplies, Perm. Ord. O19-099, the donation will be spent in 2020 and must be encumbered in the 2019  
budget

### Additional Information

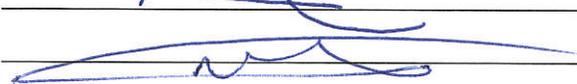
Does this RL concern grant funding? Yes  No

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): Perm. O19-099

<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"/>



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: September 4, 2019

Sponsored by Council Members: Matzo, Papastrat, Scaringi, Crounce, Scanlon, Taylor

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING  
ACCEPTANCE OF A DONATION FROM THE  
DICK'S SPORTING GOODS FOUNDATION TO  
SUPPORT PARKS & RECREATION  
PROGRAMMING**

WHEREAS, the City of Binghamton wishes to accept a donation from the Dick's Sporting Goods Foundation to support Parks & Recreation Programming in the amount of \$10,000.

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

Section 1. That the Mayor is authorized to accept the donation from Dick's Sporting Goods Foundation to support Parks & Recreation Programming in the amount of \$10,000.

Section 2. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2019 budget to accept the donation as follows:

- (i) \$10,000 increase to revenue budget line A.42705 (Gifts and Donations)
- (ii) \$10,000 increase to expense budget line A7310.54161 (Athletic Supplies)

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 019-99

Permanent No. 019-99

Sponsored by City Council Members:  
Matzo, Papasrat, Scaringi, Cronce, Scanlon, Taylor

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DONATION FROM THE DICKS SPORTING GOODS FOUNDATION TO SUPPORT PARKS & RECREATION PROGRAMMING**

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

Date

9/14/19

City Clerk

Josephine G. McGraw

Date Presented to Mayor

9/15/19

Date Approved

9/15/19

Mayor

[Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilman Livingston	✓			
Councilwoman Cronce	✓			
Councilman Taylor				✓
Councilman Papasrat	✓			
Councilman Matzo	✓			
Councilman Scanlon	✓			
<b>Total</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>1</b>

Code of the City of Binghamton

Adopted  Defeated

Ayes 6 Nays 0 Abstain 1 Absent

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 9/14/19. Approved by the Mayor on 9/15/19.

[Signature]



*Expedite*

# Legislative Branch

RL Number:  
20-12  
Date Submitted:  
1/15/2020

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: Paul Palmer

Title/Department: Commissioner of Parks

Contact Information: 772-7017

### RL Information

Proposed Title: AN ORDINANCE TO AMEND PERMANENT ORDINANCE O19-100 AND THE 2019 PARKS BUDGET TO CORRECT A DONATION FROM THE GIANTS FOUNDATION

Suggested Content: The Giant's Foundation made a donation to the City in 2019 for athletic supplies, Perm. Ord. O19-100, for youth football. The donation was listed as a cash donation for \$10,000; however it was a \$10,000 credit to Riddell, a football equipment supplier. The Perm Ord. and 2019 Parks budget need to be amended accordingly.

### 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): Perm. O19-100

<b>OFFICE USE ONLY</b>	
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"/>

*S*



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: September 4, 2019

Sponsored by Council Members: Matzo, Papastrat, Scaringi, Cronce, Scanlon, Taylor

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING  
ACCEPTANCE OF A DONATION FROM THE  
GIANTS FOUNDATION TO SUPPORT  
BINGHAMTON YOUTH FOOTBALL**

WHEREAS, the City of Binghamton wishes to accept a donation from the Giants Foundation to support Binghamton Youth Football in the amount of \$10,000.

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

Section 1. That the Mayor is authorized to accept a donation from the Giants Foundation to support Binghamton Youth Football in the amount of \$10,000.

Section 2. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2019 budget to accept the donation as follows:

- (i) \$10,000 increase to revenue budget line A.42705 (Gifts and Donations)
- (ii) \$10,000 increase to expense budget line A7310.54161 (Athletic Supplies)

Section 3. That this Ordinance shall take effect immediately.

Introductory No. 019-100

Permanent No. 019-100

Sponsored by City Council Members:  
Matzo, Papastrat, Scaringi, Cronce, Scanlon, Taylor

AN ORDINANCE AUTHORIZING ACCEPTANCE  
OF A DONATION FROM THE GIANTS  
FOUNDATION TO SUPPORT BINGHAMTON  
YOUTH FOOTBALL

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

Date 9/14/19

City Clerk Josephine G. Ferguson

Date Presented to Mayor 9/15/19

Date Approved 9/15/19

Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilman Livingston	✓			
Councilwoman Cronce	✓			
Councilman Taylor				✓
Councilman Papastrat	✓			
Councilman Matzo	✓			
Councilman Scanlon	✓			
<b>Total</b>	<b>6</b>			<b>1</b>

Code of the City of Binghamton

Adopted  Defeated

6 Ayes 0 Nays 0 Abstain 1 Absent

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 9/14/19. Approved by the Mayor on 9/15/19.

[Signature]

✓



# Legislative Branch

RL Number:  
20-13  
Date Submitted:  
1/15/2020

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: Trish Keppler

Title/Department: Personnel/Civil Service

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

### RL Information

Proposed Title: Change Senior Typist Title in Police Budget (Detectives only) to Program *change to Senior Typist. p. 20-13*

Assistant (no change in salary) A 3120.5100 Senior TYpist currently at \$33,902.00 in budget

Am Ordinance to amend the 2019

Suggested Content: Change of Title From Senior Typist to Program in Police Detectives

### Additional Information

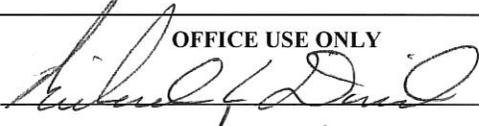
Does this RL concern grant funding? Yes  No

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

8



# Legislative Branch

RL Number: 20-09  
Date Submitted: 1/15/2020

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: Stephen Carson / Jared Kraham  
Title/Department: HUD Manager  
Contact Information: stcarson@cityofbinghamton.com

### RL Information

Proposed Title: Adjust line items in existing 2019 VINES service program contract  
A Resolution to Amend the 2019 VINES SERVICE PROGRAM CONTRACT Budget Lines

Suggested Content: Adjust the existing VINES contract budget lines by the amount shown in the "Adjustment" column of the attached worksheet. The overall contract funding remains the same.

### Additional Information

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

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R18-135 (attached)

OFFICE USE ONLY

Mayor: \_\_\_\_\_  
Comptroller: \_\_\_\_\_  
Corporation Counsel: \_\_\_\_\_  
Finance [x] Planning [x] MPA [ ] PW/Parks [ ] Employees [ ] Rules/Special Studies [ ]

BUDGET ITEM	CDBG		
	Original Budget	Adjustment	Modified Budget
<b>PERSONNEL SALARY (TITLES ONLY)</b>			
Community Garden & Youth Program Manager	\$ 1,500.00	\$ 131.98	\$ 1,631.98
Program Assistant	\$ 1,500.00	\$ -	\$ 1,500.00
Youth Program Assistant	\$ 1,362.00	\$ 764.62	\$ 2,126.62
Youth Crew Leaders (4)	\$ 2,733.00	\$ 718.14	\$ 3,451.14
Youth Crew Members (20)	\$ 3,996.00	\$ (1,387.49)	\$ 2,608.51
<b>SUBTOTAL: PERSONNEL SALARY</b>	<b>11,091.00</b>	<b>\$ -</b>	<b>11,318.25</b>
<b>FRINGE BENEFITS &amp; PAYROLL</b>			
Community Garden & Youth Program Manager Fringe (10%)	\$ 150.00	\$ 13.00	\$ 163.00
Program Assistant Fringe (10%)	\$ 150.00	\$ -	\$ 150.00
Youth Program Assistant Fringe (10%)	\$ 136.00	\$ 47.95	\$ 183.95
Youth Crew Leaders Fringe (10%)	\$ 273.00	\$ 25.52	\$ 298.52
Youth Crew Members Fringe (10%)	\$ 400.00	\$ (174.36)	\$ 225.64
<b>SUBTOTAL: FRINGE BENEFITS</b>	<b>\$ 1,109.00</b>	<b>\$ (87.89)</b>	<b>\$ 1,021.11</b>
<b>OPERATING/ADMINISTRATIVE/OTHER COSTS</b>			
Supplies and Materials	\$ 1,500.00	\$ 584.14	\$ 2,084.14
Portable Toilet Rental	\$ 560.00	\$ (80.00)	\$ 480.00
Youth Bus passes	\$ 440.00	\$ (343.50)	\$ 96.50
Travel	\$ 300.00	\$ (300.00)	\$ -
<b>SUBTOTAL: OPERATING/ADMINISTRATIVE</b>	<b>\$ 2,800.00</b>	<b>\$ (139.36)</b>	<b>\$ 2,660.64</b>
<b>GRAND TOTAL</b>	<b>\$ 15,000.00</b>		<b>\$ 15,000.00</b>



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: December 19, 2018

Sponsored by Council Members: Resciniti, Matzo, Papastrat, Scaringi, Cronce, Scanlon

Introduced by Committee: Finance

**RESOLUTION**  
*entitled*

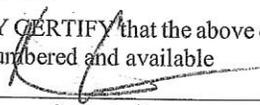
A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
VINES FOR THE USE OF FY 38 AND FY 44  
CDBG FUNDING IN AN AMOUNT NOT TO  
EXCEED \$15,000 FOR THE GROW  
BINGHAMTON PROGRAM

WHEREAS, the City of Binghamton wishes to enter into an agreement with VINES for the use of Fiscal Year 38 and Fiscal Year 44 Community Development Block Grant funding in the total amount of \$15,000 for the Grow Binghamton Program.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with VINES for the use of Fiscal Year 38 and Fiscal Year 44 Community Development Block Grant funds in the total amount of \$15,000; and be it further

RESOLVED that \$7,500 will be deducted from budget line CD8525.533525.CDY38 (Youth & Neigh Beaut & Green JB) and that \$7,500 will be deducted from budget line CD8676.533515.CDY44 (Human Services) for this purpose.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available  
  
\_\_\_\_\_  
Chuck Shager, Comptroller

Introductory No. R18-130  
 Permanent No. R18-135

Sponsored by City Council Members:  
 Resciniti, Matzo, Papastrat, Scaringi, Cronce, Scanlon

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH VINES FOR THE USE OF FY 38 AND FY 44 CDBG FUNDING IN AN AMOUNT NOT TO EXCEED \$15,000 FOR THE GROW BINGHAMTON PROGRAM

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

Date 12/19/18  
 City Clerk [Signature]

Date Presented to Mayor 12/20/18

Date Approved [Signature]  
 Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Resciniti	✓			
Councilwoman Cronce	✓			
Councilman Taylor		✓		
Councilman Papastrat	✓			
Councilman Scanlon	✓			
Councilman Matzo	✓			
Total	6	1	0	0

Code of the City of Binghamton  
 Adopted  Defeated  
 6 Ayes 1 Nays 0 Abstain 0 Absent

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 12/19/18. Approved by the Mayor on 12/20/18. [Signature]



# Legislative Branch

20-04  
RL Number:  
~~19-284~~  
Date Submitted:  
12/30/19

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Stephen Carson

Title/Department: HUD Manager

Contact Information: stcarson@cityofbinghamton.com

### RL Information

Proposed Title: Move \$40,000 from Revolving Loan to CDBG Program Income and increase funding for Temporary Services

Suggested Content: Move \$40,000 from the BLDC Revolving Loan account to the CDBG Program Income Revenue line (CD.427179.CDY45). Increase the Comm Dev Temporary Services line by \$30,000 (A8686.51800). Increase (A9030.5800013) by \$2,295 to cover FICA. The rest (\$7,705) will be funded in the future if needed for the 2020 Consolidated Plan. This needs to be expedited.

### Additional Information

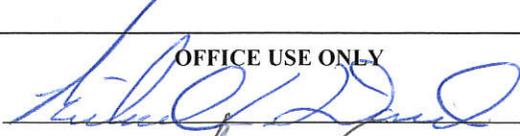
Does this RL concern grant funding? Yes  No

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:					
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"/>

13  
35



Expedite

# Legislative Branch

RL Number: 20-15  
Date Submitted: 1/16/2020

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: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 729-2975

### RL Information

Proposed Title: Ordinance to amend the BJCSB 2019 Budget to increase the appropriations for Water expense

Suggested Content: The Board requests the Owners to process legislation to increase the appropriations for Water expense (J8130.54221) by \$40,000.00 with the necessary funds being transferred from Chemicals expense (J8130.54150).

### 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

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expelite

# Legislative Branch

RL Number: 20-16  
Date Submitted: 1/16/2020

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:** Charlie Pearsall  
**Title/Department:** BJCJSTP Business Manager  
**Contact Information:** 729-2975

### RL Information

**Proposed Title:** Ordinance to amend the BJCSB 2019 Budget to increase the appropriations for capital equipment to remove grit before the fine-screen compactors

**Suggested Content:** The Board requests the Owners to process legislation to increase the appropriations for Capital - Primary Grit Catching (JH8130.554xxx) by \$185,000 with the necessary funds being transferred from Personnel Services (J8130.51000); with interfund entries as determined by the City 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 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"/>

15



Exp.

# Legislative Branch

RL Number: 20-18  
Date Submitted: 1/16/2020

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: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 729-2975

### RL Information

Proposed Title: Ordinance to amend the BJCSB 2019 Budget to increase the appropriations for capital repairs to rehabilitate the deteriorating walls of Settling Basins 1 through 6 (1-4 built in 1959)

Suggested Content: The Board requests the Owners to process legislation to increase the appropriations for Capital - Settling Tank Rehab (JH8130.554xxx) by \$120,000 with the necessary funds being transferred from Personnel Services (J8130.51000); with interfund entries as determined by the City 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 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"/>

15a



# Legislative Branch

RL Number:  
20-19  
Date Submitted:  
1/16/2020

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: Charlie Pearsall

Title/Department: BJCJSTP Business Manager

Contact Information: 729-2975

### RL Information

Proposed Title: Ordinance to amend the BJCSB 2020 Budget to increase the appropriations for Unemployment Insurance

Suggested Content: The Board requests the Owners to process legislation to increase the appropriations for Unemployment Insurance (J9050.58000E) by \$26,500.00 with the funds being transferred from Personnel Services (J8130.51000)

### 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"/>

15b



EX

# Legislative Branch

RL Number:

20-07

Date Submitted:

1/10/2020

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: AN ORDINANCE AMENDING THE CODE OF THE CITY OF

BINGHAMTON, COMMISSION ON ARCHITECTURE AND URBAN DESIGN § 18-41. TERMS OF

OFFICE

Suggested Content: To correct terms of office, similar as was done with the Planing Commission in  
2018 - see attached.

### Additional Information

Does this RL concern grant funding? Yes  No

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

Is additional information related to the RL attached? Yes  No

Is RL related to previously adopted legislation? Yes  No

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

<b>OFFICE USE ONLY</b>						
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"/>	

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**§ 18-41. Terms of office.**

All appointments prior to January 31, 2020, will expire on February 1, 2020. All members serving as of January 31, 2020, will continue to be members of this Commission until appointments are made in 2020. In 2020, the Mayor will appoint two (2) members whose terms will expire on December 31, 2024; two (2) members whose terms will expire on December 31, 2022; and three (3) members whose terms will expire on December 31, 2020. Thereafter, the term of office for each Commission member will be five (5) years, so that only two (2) or three (3) terms expire in any year. If a Commission member leaves or is removed prior to expiration of his or her term, then the vacancy will be filled as provided in § 18-42 below for the unexpired term of such member. There is no limit as to the number of terms to which a Commission member can be reappointed.



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: February 7, 2018

Sponsored by Council Members: Matzo, Papastrat, Scaringi, Cronce, Resciniti, Scanlon, Taylor

Introduced by Committee: Municipal Public Affairs

**ORDINANCE**

*entitled*

AN ORDINANCE AMENDING CHAPTER 18,  
BOARDS, COMMISSIONS, AND COMMITTEES,  
OF THE CODE OF THE CITY OF  
BINGHAMTON, TO REDUCE THE NUMBER OF  
PLANNING COMMISSION MEMBERS

WHEREAS, the Council of the City of Binghamton wishes to amend the City Code Chapter 18, *Boards, Commissions, and Committees*, Sections 18-33, 18-34, 18-35 to reduce the number of Planning Commission members from nine (9) to seven (7) and to provide for re-appointment and staggering of terms as provided herein.

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

Section 1. That the Code of the City of Binghamton, Chapter 18, *Boards, Commissions, and Committees*, Sections 18-33, 18-34, 18-35, are hereby deleted in their entirety and replaced as follows:

**§ 18-33. Creation; composition.**

A City Planning Commission is hereby created under Article 12-A of the General Municipal Law, which shall consist of seven (7) members.

**§ 18-34. Appointment of members. [Amended 6-2-1975 by Ord. No. 85-75]**

The Mayor is hereby specified and designated as the public officer who shall appoint the Planning Commissioner members. Such appointment shall be subject to the approval of the City Council. City Council will act to approve or disapprove an appointment within forty-five (45) days of the City Clerk's receipt of a written proposed appointment from the Mayor. A failure to act within such forty-five (45) days will be considered an approval.

Planning Commission members must be a resident of the City of Binghamton at all times during his or her appointment.

**§ 18-35. Terms of members.**

All appointments prior to February 7, 2018, will expire on February 9, 2018. All members serving as of February 7, 2018, will continue to be members of the Planning Commission until appointments are made in 2018. In 2018, the Mayor will appoint, subject to City Council's approval as provided in § 18-34 above, two (2) members whose terms will expire on December 31, 2018; two (2) members whose terms will expire on December 31, 2019; and three (3) members whose terms will expire on December 31, 2020. Thereafter, the term of office for each Planning Commission member will be three (3) years, so that every year



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: February 7, 2018

either two (2) or three (3) terms expire. If a Planning Commission member leaves or is removed prior to expiration of his or her term, then the vacancy will be filled as provided in § 18-34 above for the unexpired term of such member. There is no limit as to the number of terms to which a Planning Commission member can be re-appointed.

Section 2. That this ordinance shall take effect immediately

Introductory No. 018-15

Permanent No. 018-15

Sponsored by City Council Members:  
Matzo, Papastrat, Scaringi, Crouce, Resciniti, Scanlon,  
Taylor

AN ORDINANCE AMENDING CHAPTER 18,  
BOARDS, COMMISSIONS, AND COMMITTEES,  
OF THE CODE OF THE CITY OF BINGHAMTON,  
TO REDUCE THE NUMBER OF PLANNING  
COMMISSION MEMBERS

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

Date 2/17/18  
City Clerk Lighthouse H. Rogers

Date Presented to Mayor 2/18/18

Date Approved 2/18/18  
Mayor Michael J. D'Amico

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Resciniti	✓			
Councilwoman Crouce	✓			
Councilman Taylor	✓			
Councilman Papastrat	✓			
Councilman Scanlon	✓			
Councilman Matzo	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted     Defeated

7 Ayes    0 Nays    0 Abstain    0 Absent

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 2/17/18. Approved by the Mayor on 2/18/18.



Exp.

# Legislative Branch

RL Number: 20-08  
Date Submitted: 1/13/2020

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 / Jared Kraham  
Title/Department: Corporation Counsel  
Contact Information: 772-7013

### RL Information

Proposed Title: AN ORDINANCE TO AMEND THE 2020 FEE SCHEDULE TO ADD A FEE FOR A PRE-ADOPTION (BIRTH) CERTIFICATE (PAC) PURSUANT TO PUBLIC HEALTH LAW SECTION 4138-E

Suggested Content: Effective Jan. 15, 2020, PHL § 4138-E allows adoptees, eighteen years of age or older..., to receive a copy of their Pre-adoption (birth) Certificate (PAC). The Law also provides for the local filing office to collect a nominal fee. NYS charges a total of \$45, the City intends to charge \$22, which is the same as a Genealogical Search.

### 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>
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"/>

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Public Health Law § 4138-E (PHL § 4138-E), effective January 15, 2020, allows adoptees, eighteen years of age or older, adoptee direct line descendants, and/or the legal representatives to either the adoptee or the direct line descendants, to receive a copy of their *Pre-adoption (birth) Certificate (PAC)*. This measure (S3419/A5494) helps ensure that all adult New York adoptees will have the same unimpeded right to information about their birth and biological parents.

[Guidelines](#) below will assist local registration offices with administering PHL §4138-E (S3419/A5494) verification and issuance of adoptee birth certificates. [Frequently Asked Questions](#) are also included below.

For assistance, contact the New York State Department of Health, Bureau of Vital Records (BVR).

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## GUIDELINES FOR ISSUANCE

### HOW TO IDENTIFY A *PAC*?

When looking at an amended record you may instinctively think that an adoption has occurred if information for the parent(s) has changed such as **Name, Date of Birth, Place of Birth** and **Parent/Mother's Residence**.

However, a certificate of birth *can be amended for reasons other than an adoption*. For instance, a local registrar's office may receive an amended certificate where the parentage was changed due to a gestational carrier, paternity, fictitious information, change in gender or name change. These types of amendments are **not** part of the new legislation and the original record should **not** be issued.

Even though a local registrar may be able to locate a sealed file within their office by the corresponding year and registrar number, without the knowledge and proper documentation of how a birth certificate was amended it is near impossible to determine if the certificate was amended due to an adoption. Therefore, a registrar may not be able to confirm with confidence that they have a *Pre-Adoption Certificate* in their possession.

### WHO IS ENTITLED TO OBTAIN A *PAC*?

The following are valid applicants requesting a *PAC*:

- An adoptee who is 18 years of age or older.
- Direct-line descendants on behalf of a deceased relative.
  - Direct line descendants include the children, grandchildren, great grandchildren of the person for whom the record relates.
  - A direct-line descendent, at time of request, should be able to provide proof of:
    - His or her relationship to the person whose record they are requesting, and
    - Death certificate for the adoptee.



#### ISSUING A PRE-ADOPTION CERTIFICATE

Consider the following guidelines employed by the BVR when issuing a PAC:

- BVR will issue a long form copy of the original PAC on security paper. This PAC must have several certifications to indicate that it is not the current record on file and is being issued according to PHL §4138-E. The statement/watermark must be prominently displayed on the front of the PAC. For Example, add the following:
  - “PRE-ADOPTION BIRTH CERTIFICATE THIS IS NOT THE CURRENT BIRTH CERTIFICATE ON FILE”
  - “I hereby certify that this certificate was issued pursuant to the provisions of Public Health Law Section 4138-e”.
  - Signature of registrar and date of issuance.
- BVR will **not** place a raised seal on the certificate, nor should the local filing offices. A PAC will not be issued as a *Transcript of Birth*, only an original long form line by line, vault copy birth certificate can be provided.
- According to PHL§4138-E, BVR is required to issue any information provided to the commissioner pursuant to subdivision one of section one hundred fourteen of the Domestic Relation Law. Therefore, in addition to providing a certified copy of the PAC to all entitled parties BVR will provide any supporting documents such as a photocopy of the Orders of Adoption, Report of Adoption or a Certificate of Adoption.

#### WHEN TO NOT ISSUE THE RECORD?

A PAC should not be issued without **absolute confidence**. It is important to note that prior to 1972, the NYS Department of Health directed all local registrars to seal the original record and index. Records were placed in a confidential sealed envelope under lock and key, marked only with the year of birth and local registration number. If left in a book or binder, the original record was covered with opaque paper and the original name was removed from the index.

Without a copy of the amended birth certificate needed to verify the identity of an applicant, it would be near impossible to issue a PAC with absolute confidence. In this circumstance the applicant should be redirected to order their PAC from BVR.

#### WHAT TO DO IF YOU ARE UNABLE TO ISSUE?

Provide all adoptees and direct line descendants with the following information to obtain a PAC from BVR:

- **For Expedited order placement and processing:** visit [www.VitalChek.com](http://www.VitalChek.com) or call VitalChek Network, Inc. at 877-456-7747.
- To order via mail, complete the application available online at [https://www.health.ny.gov/vital\\_records/](https://www.health.ny.gov/vital_records/)
  - Mail **completed and signed application, identification** and a **check or money order** for \$45 per copy
  - Send by first class mail, registered mail, certified mail or U.S. Priority Mail to:  
New York State Department of Health  
BVR PAC Unit  
PO Box 2602  
Albany, NY 12220-2602

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## WHEN TO CONTACT NYS BVR?

If you are not confident that the *PAC* in your file is the correct certificate to issue, we urge you to have the applicant order their *PAC* from BVR.

If an applicant is insistent that your office issue the *PAC*, please contact BVR via the 'PAC issuance' dedicated email for additional assistance. (See "Who to contact at NYS BVR for support".)

## WHO TO CONTACT AT NYS BVR FOR SUPPORT?

A dedicated email has been established for registrar questions relating to PHL §4138-E. DO NOT share this email with applicants; it is not a method of communication for public use. [AdopteeBillRegistrars@health.ny.gov](mailto:AdopteeBillRegistrars@health.ny.gov)

## FREQUENTLY ASKED QUESTIONS

### Sealed and Unsealed Records

1. **The records prior to 1972 are unable to be read--completely covered over. How will the registrar know which record is which--wouldn't this make it possible or even likely to have other records unsealed by mistake?**

Without a copy of the amended birth certificate needed to verify the identity of an applicant, it would be near impossible to issue a *PAC* with absolute confidence. In this circumstance the applicant should be redirected to order their *PAC* from BVR. (See Guidelines above for instructions for application/ordering.)

2. **How will the local registrars determine if the record was sealed due to an adoption in cases of single parent adoption, such as a change to the father's name only. These amendments could be due to an adoption or the result of a paternity issue.**

A birth certificate can be amended for reasons other than an adoption. For instance, a local registrar's office may receive an amended certificate where the parentage was changed due to a gestational carrier, paternity, fictitious information, change in gender or name change. These types of amendments are not part of the new legislation and the original record should not be issued.

3. **Can a person (or biological parents) request to have their birth certificate remain sealed?**

No, PHL §4138-E does not provide a separate option for an adoptee or biological parent to withdraw/redact their information from the *Pre-Adoption Certificate*.

4. **What is the procedure to remove the glued (sealed) papers from the book without damage to records on the previous/next page?**

In order to not damage the original birth certificate, it would be best to advise the applicant to apply for their *PAC* through the state.

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5. **What if an applicant suspects he or she was adopted? Should he or she still submit an application?**

Applicants, believing they might be adopted, can certainly submit an application. The application must still be completed in full. Explain to the applicant that the fee is still required even if there is a 'no record' result.

**Issuing Records**

6. **Will the records be available at the local registrar's office or only from the state?**

According to PHL § 4138-E, an applicant can apply with BVR or the local registrar. But without the knowledge and proper documentation of how a birth certificate was amended, it may not be possible to determine if the certificate was amended due to an adoption. Therefore, a registrar may not be able to confirm with absolute confidence that they have a *PAC* in their possession.

If there is *any* question or doubt about the applicant, the sealed document, lack of supporting documentation, or anything else, local filing offices should redirect applicants to BVR.

7. **Will there be a fee for a certified copy of the record?**

Yes. BVR will charge a \$45.00 fee per copy requested.

8. **What is the \$45 fee and who receives the funds?**

The fee charged by BVR consists of a \$30 search fee and a nominal \$15 fee. These funds are collected by New York State.

9. **When should the local filing office charge a nominal fee? What should the local filing office charge?**

The local filing office should collect fees in accordance with your policy for issuing certified copies of a birth certificate. According to PHL § 4138-E language, local jurisdictions can request a nominal fee, at your discretion. Consult your local governance on local policy (law or resolution) to determine if you can/will charge a nominal fee and if so, the amount.

10. **Will there be a special certificate used? Will we have to order special paper to print a PAC?**

No special certificate or special paper is needed. According to PHL§4138-E, a certified long form copy of the *Pre-Adoption Certificate* should be issued with any documentation that may be on file pertaining to the adoption. BVR will issue a long form copy of the original *Pre-Adoption (birth) Certificate* on security paper. This certificate will have several certifications (statement/watermark) to indicate that it is not the current record on file and is being issued according to PHL§4138-E.

- 
11. **If the adoptee is deceased, why would a certified copy be needed? Shouldn't it be a copy marked for genealogical purposes only?**

The PAC is not being issued in accordance with genealogical laws. Instead, the PAC is being issued pursuant to PHL § 4138-E. According to PHL§4138-E a direct line descendent, such a child, grandchild or great grandchild, is entitled to obtain a certified copy of a PAC.

12. **Are the adoptive parents able to obtain the adoptee's original birth certificate and are the biological parents able to obtain the amended birth certificate?**

Neither.

13. **Are original (before adoption) Acknowledgement of Paternity (AOP) also going to be available?**

No. PHL§4138-E is only for the issuance of a PAC and any documentation that may be on file related to the adoption. An acknowledgment of paternity would be excluded and not issued to applicant.

14. **Do I need to certify the PAC? How can I certify the PAC when there is no raised seal?**

Registrars should sign and date the PAC along with adding a prominently visible statement/watermark, as noted in the guidelines above, on security paper. A signature is required because it is being issued, even if not the current certificate on file.

15. **What if we don't have the long form in our files?**

Refer the applicant to BVR for search and issuance.

16. **What if the applicant walks into the local office and expects to walk out with the PAC?**

Both BVR and the local offices should clearly explain that a PAC cannot be issued the same day as requested. PAC requests must be thorough researched to accurately match the adoptee with the application before issuing a PAC. This is anticipated to take 2-4 weeks to complete.

17. **A past procedure was to write 'sealed' across the document. Can we issue this as is?**

No. The law requires that the original certificate be provided. The original certificate did not contain the word "sealed" across the document. If the "sealed" document is the only document in the registrar's possession, the applicant should be redirected to the state.

18. **If someone shows us the PAC as proof of relationship for a death certificate, are we allowed to issue that death certificate?**

No. The applicant would need to get a court order for access to the record.

- 
19. **If we are satisfied that an adoption occurred but we do not have the record on file, do we issue a No Record Certification and retain the fee?**

Performing a search for a certificate will incur costs therefore it would be within the purview of the local registrar to be entitled to the \$10 fee associated with the search. Local jurisdictions should consult with local counsel regarding the nominal fee associated with compliance with PHL §4138-E as it relates to the certainty by the local registrar that an adoption did indeed occur.

20. **Should the local filing office confirm with the state before issuing a PAC? What if we accidentally gave out a certificate of error?**

If there is any doubt, you should contact BVR for assistance.

### Verification and Supporting Documentation

21. **Who can obtain a copy - Can a birth parent request a copy?**

A birth parent is not entitled to a copy of a *PAC*, only an adoptee who is 18 years of age, or a direct line descendant of a deceased adoptee or their lawful representative.

22. **Are pre- or post-adoption siblings able to obtain copies of Pre-Adoption Certificates?**

A sibling would **NOT** be eligible to obtain a *PAC*, only an adoptee 18 years of age, or a direct line descendant of a deceased adoptee or their lawful representative is entitled.

23. **Can an adoptive parent be a legal representative to obtain a *PAC*? What if the adoptee is over 18 years of age and disabled or incapacitated?**

According to PHL§4138-E, an adoptee must be over the age of 18, therefore a parent cannot request the *PAC*. If the adoptee is over 18, but disabled or incapacitated, the adoptive parent should retain legal representation on behalf of the adoptee to apply for a *PAC*.

24. **What type of documentation will the adoptee be required to provide for identification that they are entitled to this information?**

Adoptees are required to provide identification with photo and signature. They are not required to supply supporting documents to prove an adoption occurred. Most adoptees may not be able to provide the pre-adoption birth name.

Direct line descendants will need to provide photo identification, death certificate of the adoptee and documentation such as a birth or death record showing the line of descent from adoptee to applicant.

For details on acceptable documentation for identification, please see Pre-Adoption Birth Certificate applications online at: [https://www.health.ny.gov/vital\\_records/](https://www.health.ny.gov/vital_records/).

**Note:** Without the knowledge and proper documentation of how a birth certificate was amended it is near impossible to determine if the certificate was amended due to an adoption. Therefore, a registrar may not be able to confirm with absolute confidence that they have *PAC* in their possession.

**25. Why isn't the adoptee required to bring his or her post-adoption birth certificate along with ID and signature document?**

The State will not be requiring a copy of the post adoption birth certificate as BVR is the repository for all birth certificates and amendments made thereto and will have access to all birth certificates for those born in New York State outside of New York City.

Local jurisdictions should consult with local counsel regarding what rises to the level of enough proof for the local jurisdiction to comply with PHL §4138-E.

**26. Assuming an adoptee name has changed and is requesting a birth certificate under a different name- and only needs current ID with no supporting documentation of adoption- how is this to ensure the security of the record and that it will not be used in identity theft?**

If there is any question about the applicant and the local filing office is not 100% confident issuing the record, the applicant should be redirected to the state. BVR has the resources to research the application, sealed record, etc. If the local filing office issues the record, inclusion of the statement/watermark mitigates risk of the document being used for other official purposes, such as at the Department of Motor Vehicles.

**27. How do I find a sealed record if the adoptee or representative does not know the adoptee's birth name?**

In this case, the local filing office will probably not be able to locate the record. Redirect the applicant to BVR.

**28. Can anyone, even adoptive parents, request a PAC if he or she has Power of Attorney (POA)?**

Yes, historically a Power of Attorney is a legal representative of the individual. New York State PHL §4138-E makes no distinction to deny the adoptive parent the PAC if he or she has POA. BVR does not require any other action in this situation for issuance.

**Privacy and Legality**

**29. Has the right to privacy of the birth parent(s) been considered at all in this legislation? What about the rights of the biological mother who gave the child up for adoption and was told at that time the record would be sealed forever?**

BVR is required by New York State PHL §4138-E to provide a certified copy of the PAC and any documentation that may be on file related to the adoption.

- 
30. **Has NYSDOH made any evaluation as to the legal liability of local health units/registrars in cases where legal action is brought by a birth parent or adoptee who suffers financial loss or emotional distress via the revealing of birth parents?**

BVR is required by PHL §4138-E to provide a certified copy of the *PAC* and any documentation that may be on file related to the adoption. Local jurisdictions should consult with local counsel on consequences of law violation if a situation arises. Again, the local filing office should not be issuing a *PAC* if there is any question on validity of the applicant but is required to issue according to comply with the legislation.

31. **What legalities will it be if they claim Next of Kin for large inheritances?**

The *PAC* does not change who you legally are. BVR is required by PHL §4138-E to provide a certified copy of the *PAC* and any documentation that may be on file related to the adoption.

32. **Records from the late 1970's to 1990's the parent's social security numbers are listed on the original birth certificate - are we supposed to redact those social security numbers?**

Yes, social security numbers should be redacted from the certificate of birth.

33. **How will we be able to seal any records with confidence after January 15, 2020?**

Courts require records to be sealed, therefore BVR and local registrars must comply with the court order.

#### **DOH Forms and Guidance**

34. **Will there be a special application to be submitted to the BVR?**

Yes, an applicant may obtain an application online at [https://www.health.ny.gov/vital\\_records/](https://www.health.ny.gov/vital_records/) after the legislation takes effect on January 15, 2020.

35. **When will forms be available?**

Applications for *PACs* will be available on January 15, 2020.

36. **Will we be able to order a supply of the Applications for *PACs*'s?**

No. The application will be available online at [https://www.health.ny.gov/vital\\_records/](https://www.health.ny.gov/vital_records/).

37. **What is the projected timeframe if we must consult with BVR to determine if it was an adoption?**

BVR will provide a dedicated email for registrars specific to the issuance of a *PAC*. Due to the nature of these requests, extensive research and time required to search sealed files and produce copies of *PACs*, processing times will vary depending on the volume of requests received. At this time, we are estimating that it could take up to 2-4 weeks.

- 
38. **We have thousands of closed records in our district all prior to 1972, therefore we do not have amended records with adopted names. Will we have to request the amended record first before releasing the original?**

No, such requests should not be submitted to BVR. If you do have an amended birth certificate, please advise the applicant that they may apply with the state.

### Residency Issues

39. **If adoptee knows they were adopted in NYS, but they are no longer a resident of New York State, can they apply to find out who they really are?**

It does not matter where the applicant currently resides. An adoptee to which the application refers must be born in New York State to be eligible for a PAC. In some instances, if an adoptee to which the application relates was born in another state, such as Vermont, but the adoption took place in a New York State court they may be eligible to apply for an identifying report with BVR.

40. **If adoptee knows they were adopted in NYS, but they were born out of state, can they apply for a PAC?**

In this case, NYS will not have a copy of the original birth certificate. However, supporting court order adoption papers can be obtained from BVR. The applicant should be redirected to BVR.

### Genealogy

41. **For Genealogy requests, would this new law change or influence the 75-year rule to obtain a birth certificate?**

The new legislation does not change or influence the current regulations for a genealogical request nor do genealogical requests apply to PHL §4138-E.

42. **How would an adoptee prove they're in direct descent?**

A direct line decedent or their legal representative would need to provide photo identification, death certificate of the adoptee and documentation showing the line of descent from adoptee to applicant.

### General Questions

43. **Has NYS DOH considered establishing a database for family health history records for adopted persons that would preclude the need to reveal birth parentage?**

Currently within the Adoption Information Registry there is a sub-registry for adoptee's and adoptive parents to obtain any certified medical information previously supplied by a biological parent.

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**44. Will there be a public announcement explaining that local registrars may not be able to issue a PAC?**

While there will not be a public “announcement,” there will be recommendations and instructions on the NYS BVR website for an applicant requesting a PAC. The NYS public website will include contact information for the public to use for questions.

**45. It seems like most applicants should be redirected to BVR. Why is this? Why allow people to come to the local filing office at all? Why shouldn't we just refer all applicants to BVR?**

The legislation was written including the local filing office, therefore BVR and the local offices must comply with the law. Because BVR has the resources to research sealed records and identify adoption records, as well as retaining supporting adoption documentation, many applicants should be redirected to the state. If an applicant is insistent at the local filing office, the local registrar should contact BVR via the dedicated email for assistance.

**46. What is reason behind this law? It seems like it only helps the adoptee and could be detrimental to the biological parents.**

The legislative intent was to provide the same rights to adoptees as any other person to have access to a birth certificate. BVR is required by PHL §4138-E to provide a certified copy of the *PAC* and any documentation that may be on file related to the adoption.

**47. How will VitalChek handle PAC requests?**

Although BVR cannot speak to vendor procedures, VitalChek is prepared to support this new legislation and has assured the state as such. PAC requests will be handled separately from normal birth certificate requests.



# Legislative Branch

RL Number:  
RL-17  
Date Submitted:  
1/16/2020

**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:** Jared M. Kraham  
**Title/Department:** Office of the Mayor  
**Contact Information:** (607) 772-7001

### RL Information

**Proposed Title:** A Resolution authorizing the acceptance of a grant from Enterprise Community Partners in the amount of \$585,000 to support the Cities RISE innovation program.

**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): R18-120

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

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# Legislative Branch

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

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## GRANT APPLICATION WORKSHEET

*The Request for Legislation must include the project title and the purpose of the grant.  
Please provide the following additional information.*

Agency providing the grant: Enterprise - Cities Rise Grant Phase II

Total project cost: \$585,000

Total amount of grant: \$585,000

Local match (if any): 0

If local match is monetary, provide the budget line and title: \_\_\_\_\_

If local match is "in kind", provide the anticipated personnel and hours to be dedicated to the project:

\_\_\_\_\_

Disbursement of grant (upfront, reimbursable?): 2 Disbursements

If reimbursable, source of funds pending reimbursement: \_\_\_\_\_

Grant project manager: Jared Kraham

Anticipated date of project completion: ongoing

Special project completion requirements (if any): \_\_\_\_\_

**Attach any required form of Resolution from the Agency providing the grant.**

Please provide any additional information in the space provided below, including any other government agency or private partner participating in the grant, along with a description of such participation:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Legislative Branch

RL Number: 20-14  
Date Submitted: 1/15/2020

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: CHUCK SHAGER  
Title/Department: COMPTROLLER/FINANCE  
Contact Information: 607-772-7011

### RL Information

Proposed Title: ordinance to amend the 2019 Capital fund budget to close Bond lineS that are no longer active.

Suggested Content: ordinance to amend the 2019 Capital fund budget to close Bond lines that are no Longer active, SEE Attached

### Additional Information

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

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

<b>OFFICE USE ONLY.</b>	
Mayor:	<u>[Signature]</u>
Comptroller:	_____
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"/>

31d

DECREASE		DECREASE				
H1640.525111.20613	SALT STORAGE REHAB		315,824.14	H.45710	SERIAL BONDS	513,824.14
H7110.525120.40914	ROSS PK CAROUSEL RELOC/RENO		198,000.00			
	<b>TOTAL</b>		<b>\$ 513,824.14</b>	<b>TOTAL</b>		<b>\$ 513,824.14</b>