



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Tom Scanlon, City Council President

Leighton Rogers, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON

Business Meeting Agenda

City Council Chambers, 38 Hawley Street, Binghamton, NY 13901

Wednesday, January 22, 2020

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ACKNOWLEDGEMENTS AND RECOGNITIONS

V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes

Approve the Minutes from January 8, 2020 Business Meeting

City Council Finance Committee: Strawn (Chair), Resciniti, Burns

No items to report.

City Council Planning and Community Development Committee: Strawn (Chair), Scaringi, Friedman

No items to report.

City Council Municipal and Public Affairs Committee: Resciniti (Chair), Strawn, Riley

No items to report.

City Council Public Works/Parks and Recreation Committee: Resciniti (Chair), Scaringi, Riley

No items to report.

City Council Employees Committee: Scaringi (Chair), Resciniti, Burns

No items to report.

City Council Rules and Procedures/Special Studies Committee: Scaringi (Chair), Strawn, Friedman

No items to report.

VI. APPROVAL OF APPOINTMENTS

1. CDAC City Council At-Large Member - Karl Bernhardsen

VII. PUBLIC HEARING

1. Public Hearing regarding an amendment to the 2018 Bond Ordinance related to the Reconstruction of the State Street Project (Introductory Ordinance 20-16)
2. Public Hearing regarding the 2020 Bond Ordinance for Capital Projects (Introductory Ordinance 20-17)

VIII. SET PUBLIC HEARINGS

IX. PUBLIC COMMENT/COMMUNICATION

X. REVIEW OF MAYORAL VETO



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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XI. SECOND READING LEGISLATION

XII. FIRST READING LEGISLATION

A. PREFERRED AGENDA

Introductory Ordinance 20-07. Considered in Finance: Strawn

An Ordinance to amend the 2020 fee schedule to add a fee for Pre-Adoption (birth) Certificate pursuant to Public health Law section 4138-E

Introductory Ordinance 20-08. Considered in Finance: Strawn

An ordinance to amend Permanent Ordinance 019-100 and the 2019 Parks Budget to correct a donation from the Giant's Foundation

Introductory Ordinance 20-09. Considered in Finance: Strawn

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

Introductory Ordinance 20-10. Considered in Finance: Strawn

An ordinance to amend the BJCSB budget to increase the appropriations for capital repairs to rehabilitate the deteriorating walls of Settling Basins 1 through 6

B. NON-PREFERRED AGENDA

Introductory Ordinance 20-04. Considered in Finance: Strawn

An Ordinance to accept a \$40,000 transfer from the Binghamton Local Development Corporations and amend the 2020 HUD Administration and Housing Budget to increase funding for community development services

Introductory Ordinance 20-11. Considered in Finance: Strawn

An Ordinance to amend the Code of the City of Binghamton, Commission on Architecture and Urban Design

Introductory Ordinance 20-12. Considered in Finance: Strawn

An Ordinance to amend the BJCSB budget to increase the appropriations for the capital equipment to remove grit before fine-screen compactors

Introductory Ordinance 20-13. Considered in Finance: Strawn

An ordinance to amend BJCSB to increase the appropriations for water expense

Introductory Ordinance 20-15. Considered in Finance: Strawn

An Ordinance to amend the 2019 DPW Budget to pay the December tipping fee

Introductory Ordinance 20-16. Considered in Finance: Strawn

A Bond ordinance amending the ordinance adopted February 18, 2019 and heretofore amended on March 7, 2018 and March 6, 2019 on account of the State Street Reconstruction Project



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

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Introductory Ordinance 20-17. Considered in Finance: Strawn

A Bond Ordinance of the City of Binghamton, New York, adopted January 22, 2020, authorizing various capital improvements in and for the City, stating the estimated maximum cost thereof is \$8,992,235 appropriating said amount for such purpose and authoring the issuance of bonds of the city in the principal amount of not to exceed \$8,992,235 to finance said appropriation

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

XIV. ADJOURNMENT



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

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

WHEREAS, 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)*; and

WHEREAS, PHL § 4138-E, further provides that the local filing office is entitled to collect a nominal fee for a PAC; and

WHEREAS, New York State charges \$30 for a birth certificate and an additional nominal fee of \$15 for a PAC, a total fee of \$45; and

WHEREAS, the City of Binghamton charges \$10 for a birth certificate and wishes to charge an additional nominal fee of \$12 for a PAC, a total fee of \$22, consistent with its fee for a Genealogical Search; and

WHEREAS, such budget amendment was approved by the Board of Estimate and Apportionment on January 15, 2020.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 Fee Schedule to add a fee for a *Pre-adoption (birth) Certificate (PAC)* as follows:

<u>Department</u>	<u>Description</u>	<u>Current Fee (2020)</u>	<u>Fee Set By</u>
Vital Statistics	<i>Pre-adoption (birth) Certificate (PAC)</i>	\$22	NYS and City Council

Section 2. That this Ordinance shall be effective as of January 15, 2020.



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

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

WHEREAS, pursuant to Permanent Ordinance O19-100, dated September 4, 2019, the City accepted a donation from the Giants Foundation in the amount of \$10,000 for the Parks Department's Youth Programs to purchase athletic supplies for youth football; and

WHEREAS, the donation was mistakenly posted to the 2019 Parks Department Youth Programs budget as a cash donation, when it was actually a \$10,000 credit to be used by the Parks Department at *Riddell*, a football equipment supplier; and

WHEREAS, the City wishes to correct how the donation was accepted by: (i) declaring Permanent Ordinance O19-100 null and void, and (ii) accepting a \$10,000 donation from the Giants Foundation in the form of a credit to *Riddell*, a football equipment supplier, for the Parks Department's Youth Programs to purchase athletic supplies for youth football; and

WHEREAS, such budget amendment was approved by the Board of Estimate and Apportionment on January 22, 2020.

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

Section 1. That Permanent Ordinance O19-100, dated September 4, 2019, is hereby declared null and void.

Section 2. That the Mayor is authorized to accept a \$10,000 donation from the Giants Foundation in the form of a credit to *Riddell*, a football equipment supplier, for the Parks Department's Youth Programs to purchase athletic supplies for youth football.

Section 3. That this Ordinance shall take effect immediately.



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

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

WHEREAS, pursuant to Permanent Ordinance O19-099, dated September 4, 2019, the City accepted a donation from the Dick's Sporting Goods Foundation in the amount of \$10,000 for the Parks Department's Youth Programs to purchase athletic supplies; and

WHEREAS, given the time of the donation, the Parks Department did not expend the funds in 2019, and requests that the 2019 donation be encumbered in the 2019 Youth Programs budget so it can be expensed in 2020; and

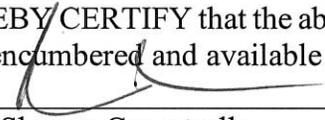
WHEREAS, such budget amendment was approved by the Board of Estimate and Apportionment on January 22, 2020.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2019 budget to encumber a donation from the Dick's Sporting Goods Foundation in the amount of \$10,000 posted in revenue line A.42705 (Gifts and Donations) and Youth Programs budget expense line A7310.54161 (Athletic Supplies) to be expensed in 2020.

Section 2. That this Ordinance shall take effect immediately.

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



Chuck Shager, Comptroller



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2019
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITY BUDGET TO
INCREASE THE APPROPRIATIONS FOR
CAPITAL REPAIRS TO REHABILITATE THE
DETERIORATING WALLS OF SETTLING
BASINS 1 THROUGH 6

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

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "JSB") under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the Comptroller/JSB Fiscal Officer and Business Manager of the BJCJSTF find it proper and necessary to amend the 2019 BJCJSTF budget, to increase the appropriations for capital repairs to rehabilitate the deteriorating walls of Settling Basins 1 through 6.

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

Section 1. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2019 BJCJSTF budget to increase the appropriations for capital repairs to rehabilitate the deteriorating walls of Settling Basins 1 through 6.

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$120,000 J8130.51000 (Per Serv-Variou)	J.9950.59000 (Transfer to Capital)
\$ 120,000 JH45031 (Inter fund Transfer)	120,000 JH8130.554xxx (Settling Tank Rehab)

Section 2. That this Ordinance shall become effective when also approved by a sufficient members of the Board of Trustees of the Village.

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

Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: January 22, 2020

Sponsored by Council Members: Resciniti, Riley, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO ACCEPT A \$40,000
TRANSFER FROM THE BINGHAMTON LOCAL
DEVELOPMENT CORPORATION AND AMEND
THE 2020 HUD ADMINISTRATION AND
HOUSING BUDGET TO INCREASE FUNDING
FOR COMMUNITY DEVELOPMENT SERVICES

WHEREAS, the City of Binghamton receives funding from the United States Department of Housing and Urban Development (“HUD”); and

WHEREAS, the City allocates said funds for various purposes, including support of the Binghamton Local Development Corporation (“BLDC”); and

WHEREAS, the BLDC uses its allocation of HUD funding to make loans and the money derived therefrom is program income, which is also regulated by HUD and the City; and

WHEREAS, the BLDC approved a transfer of \$40,000 of program income to the City’s CDBG Program Income Revenue, which then must be allocated to an Interfund Revenue account, and the funds used for community development services; and

WHEREAS, the Manager, HUD Administration and Housing, and Comptroller of the City of Binghamton have requested that such funds be allocated: (i) \$30,000 for temporary community development services, (ii) \$7,705 for professional services, and (iii) \$2,295 to pay social security (FICA) for such temporary services; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on January 22, 2020.

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

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 HUD Administration and Housing budget to accept a transfer from the BLDC in the amount of \$40,000 as follows:

- i) \$40,000 increase in revenue budget line CD.427179.CD45 (CDBG Program Income Revenue)
- ii) \$40,000 increase to expense budget line CD8686.533528.CDY45 (Admin Services)

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

Date: January 22, 2020

Section 2. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 HUD Administration and Housing budget to transfer funds as follows:

<u>Transfer From (defund/decrease):</u>	<u>Transfer To (fund/increase):</u>
\$40,000 CD8686.533528.CDY45 (Admin Services)	\$40,000 A.42801 (Interfund Revenue)

Section 3. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 HUD Administration and Housing budget to increase funding for temporary services and related costs as follows:

<u>Transfer From (defund/decrease):</u>	<u>Transfer To (fund/increase):</u>
\$40,000 A.42801 (Interfund Revenue)	\$30,000 A8686.51800 (Temp Ser.)
	7,705 A8686.54410 (Professional Services)
	2,295 A9030.58000B (Social Security)
<hr/> \$40,000	<hr/> \$40,000

Section 4. That this Ordinance shall take effect immediately.

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

Chuck Shager, Comptroller



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Planning

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON COMMISSION
ON ARCHITECTURE AND URBAN DESIGN 8-
41 TERMS OF OFFICE

WHEREAS, the Council of the City of Binghamton wishes to amend the City Code Chapter 18, *Boards, Commissions, and Committees*, Article VI, *Commission on Architecture and Urban Design*, Section 18-41, *Terms of office*, 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*, Article VI, *Commission on Architecture and Urban Design*, Section 18-41, *Terms of office*, is hereby deleted in its entirety and replaced as follows:

§ 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 three (3) members whose terms will expire on December 31, 2020; two (2) members whose terms will expire on December 31, 2022; and two (2) members whose terms will expire on December 31, 2024. 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.

Section 2. That this ordinance shall take effect immediately



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE 2019
BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITY BUDGET
TO INCREASE THE APPROPRIATIONS FOR
CAPITAL EQUIPMENT TO REMOVE GRIT
BEFORE THE FINE-SCREEN COMPACTORS

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

WHEREAS, the BJCJSTF is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "JSB") under a series of inter-municipal agreements between the City and the Village; and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the BJCJSTF budget; and

WHEREAS, the JSB has requested an amendment to the 2019 BJCJSTF budget for capital equipment to remove grit before the fine-screen compactors.

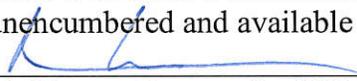
NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Council approves and directs the Comptroller/JSB Fiscal Officer to amend and make journal budget entries in the 2019 BJCJSTF budget as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$185,000 J8130.51000 (Per Sev-Variou)	\$185,000 J9950.59000 (Transfer to Capital)
JH 45031 (Interfund Transfer)	\$185,000 JH8130.554xxx (Primary Grit Catching)

Section 2. That this Ordinance shall become effective when also approved by sufficient members of the Board of Trustees of the Village.

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



Chuck Shager, Comptroller/JSB Fiscal Officer



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

Date: January 22, 2020

Sponsored by Council Members: Scaringi, Resciniti, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2019 DPW
BUDGET TO PAY THE DECEMBER TIPPING
FEE**

WHEREAS, the Commissioner of Public Works and Comptroller of the City of Binghamton find it proper and necessary to amend the 2019 Refuse Disposal budget to pay the December 2019 tipping fee; and

WHEREAS, the budget amendment was approved by the Board of Estimate and Apportionment on January 22, 2020.

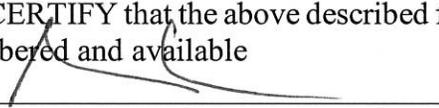
NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2019 Department of Refuse Disposal budget to pay the December 2019 tipping fee as follows:

<u>Transfer From (Decrease):</u>	<u>Transfer To (Increase):</u>
\$20,000 CL9060.58000C (Health Ins.)	\$24,630 CL8160.54661(Tipping fee)
4,630 CL9030.58000B (Social Security)	
<hr/>	<hr/>
\$24,630	\$24,630

Section 2. That this ordinance shall take effect immediately.

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



Chuck Shager, Comptroller

State Environmental Quality Review
Determination of Type II Action

Project Number: None

Date: January 22, 2020

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Nature of Action: This is an amendment to 2015, 2018, and 2019 bonds for the rehabilitation of State Street. The amendment is in the additional amount of \$120,000 for a total of \$2,420,000 for redesign, pavement replacement, restriping, landscaping, signal costs, and general increases in expenses.

Findings. The City of Binghamton City Council has determined that the proposed action described above is a Type II action based on §617.5 Type II C: (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, (4) repaving of existing highways not involving the addition of new travel lanes, (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities, (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list and (15) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

For Further Information

Contact Person: Thomas Scanlon, President
City of Binghamton City Council

Address: City Hall
38 Hawley Street
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)



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

Date: January 22, 2020

Sponsored by Council Members: Resciniti, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE
entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JANUARY 22, 2020, AMENDING THE BOND ORDINANCE ADOPTED FEBRUARY 18, 2015 AND HERETOFORE AMENDED ON MARCH 7, 2018 AND MARCH 6, 2019 ON ACCOUNT OF THE STATE STREET RECONSTRUCTION PROJECT

WHEREAS, on February 18, 2015, the Council of the City of Binghamton (the “City”), in the County of Broome, New York, duly authorized the issuance of bonds in the principal amount of not to exceed \$14,463,150 to finance various capital projects in and for the City, which amount was appropriated therefor pursuant to the bond ordinance adopted by said Council of the City on February 18, 2015;

WHEREAS, on March 7, 2018 the Council determined that the estimated total cost of the reconstruction of State Street was \$1,900,000 and such amount was appropriated therefor pursuant to a bond ordinance adopted by said Council on March 7, 2018 as an amendment to the prior bond ordinance adopted on February 18, 2015; and

WHEREAS, on March 6, 2019 the Council determined that the estimated total cost of the reconstruction of State Street was \$2,300,000 and such amount was appropriated therefor pursuant to a bond ordinance adopted by said Council on March 6, 2019 as an amendment to the prior bond ordinance adopted on February 18, 2015 and amended March 7, 2018; and

WHEREAS, the Council has now determined that the total cost of the reconstruction of State Street is \$2,420,000, and it is necessary and in the public interest to increase the appropriation for such project by \$120,000 and to further amend the bond ordinance adopted on March 6, 2019, to authorize the issuance of an additional \$120,000 bonds to finance said increased appropriation.

Now, therefore, be it

RESOLVED BY THE COUNCIL OF THE CITY OF BINGHAMTON, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

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

Date: January 22, 2020

The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$16,283,150 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the City in the aggregate principal amount of not to exceed \$16,283,150 are hereby authorized to be issued in the principal amounts indicated in Column C of said Schedule I for each of the respective objects or purposes indicated in Column A of said Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes for which said serial bonds are authorized to be issued, within the limitations of §11.00 a. of the Law as referenced in Column E of said Schedule I, are set forth in Column D of said Schedule I.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the

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

Date: January 22, 2020

renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Section B. The amendment of the bond ordinance set forth in Section A of this ordinance, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond ordinance, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond ordinance, as so amended.

Schedule I

2019 Capital Improvement Plan

A	B	C	D	E	F	G
Project Description (object or purpose)	Estimated Maximum Cost	Amount of Bonds Authorized	Fund	Grant Funding Expected to be received	Period of Probable Usefulness	PPU Section 11.00a. reference
A. Acquisition of Range Simulator	\$ 63,150	\$ 63,150	General	\$ 0	5	32
B. Street Reconstruction	3,000,000	3,000,000	General	0	15	20(c)
C. Street Resurfacing	500,000	500,000	General	0	15	20(c)
D. Water Line Improvements	2,000,000	2,000,000	Water	0	40	1
E. Sewer Line Improvements	1,200,000	1,200,000	Sewer	0	40	4
F. LED lighting upgrades and improvements - Streets and Ramps	4,000,000	4,000,000	General	0	15	35
G. Storm and Sanitary System improvements as part of NY Rising	750,000	750,000	General	750,000	40	4
H. Parking Ramp Improvements	2,000,000	2,000,000	Ramps	0	10	20(f)
I. Flood Wall/Conduit Reconstruction	50,000	50,000	General	0	20	22(b)
J. Reconstruction of State Street	2,420,000	2,420,000	General	1,500,000	15	91, 20(c) & 72(a)
K. Various pool upgrades and improvements	250,000	250,000	General	0	15	19(c)
L. ADA upgrades to bleachers	20,000	20,000	General	0	5	35
M. Pool Deck upgrades and improvements	<u>30,000</u>	<u>30,000</u>	General	<u>0</u>	15	19(c)
Totals	<u>\$16,283,150</u>	<u>\$16,283,150</u>		<u>\$2,250,000</u>		

State Environmental Quality Review
Determination of Type II Action

Project Number: None

Date: January 22, 2020

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Nature of action. An ordinance authorizing issuance of \$8,992,235 serial bonds to finance 2020 capital projects. The projects are for interior City Hall renovations, replacement, rehabilitation or reconstruction of existing structures or facilities, including street reconstruction, ADA improvements, water and sewer connections, repaving of existing highways not involving the addition of new travel lanes, street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities, various equipment needs, and replacement of tennis courts.

Findings. The City of Binghamton City Council has determined that the proposed action described above is a Type II action based on §617.5 Type II C (1) maintenance or repair involving no substantial changes in an existing structure or facility, (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, (4) repaving of existing highways not involving the addition of new travel lanes, (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities, (13) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list and (21) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

For Further Information

Contact Person: Thomas Scanlon, President
City of Binghamton City Council

Address: City Hall
38 Hawley Street
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)



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

Date: January 22, 2020

Sponsored by Council Members: Resciniti, Burns, Strawn, Scanlon

Introduced by Committee: Finance

ORDINANCE

entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JANUARY 22, 2020, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$8,992,235, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,992,235 TO FINANCE SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for various capital improvements in and for the City, as more specifically described herein;

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain (by the favorable vote of not less than two-thirds of all the members of said Council) as follows:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct, acquire or undertake the various projects as described in Column A of said Schedule I, attached hereto and made a part hereof, at the estimated maximum costs indicated in Column B of said Schedule I. The estimated total cost of such projects, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,992,235 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. _____. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$8,992,235 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Debt service on the obligations herein authorized is expected to be paid from the respective funds of the City set forth in Column D of said Schedule I. Any grant funds received from the United States of America, the State of New York or from any other source, including the grant funds referenced in Column E of said Schedule I, in connection with the various projects described in Column A of said Schedule I, are authorized to be applied towards the cost of said projects or redemption of the City's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

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

Date: January 22, 2020

- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Schedule I

2020 Capital Improvement Plan

A Project Description (Object or Purpose)	B Estimated Maximum Cost	C Amount of Bonds Authorized	D Fund	E Grant Funding Expected to be Received	F Period of Probable Usefulness	G PPU Section 11.00a. Reference
A. Construction of Improvements to City Hall	\$ 200,000	\$ 200,000	General	\$ 0	15	12(a)(2)
B. Street Reconstruction	2,400,000	2,400,000	General	0	15	20(c)
C. Construction of ADA Improvements to Ramps	800,000	800,000	General		15	12(a)(2)
D. Water Line Improvements	500,000	500,000	Water	0	40	1
E. Sewer Line Improvements	1,600,000	1,600,000	Sewer	0	40	4
F. Deco District Improvements	2,411,847	2,411,847	General	<u>1,205,923</u>	15	20(c)
J. Replace Tennis Courts	600,000	600,000	General		15	19(c)
K. Parks Garage Improvements	250,000	250,000	General		15	12(a)(2)
L. Plow Attachments	<u>230,388</u>	230,388	General		15	28
Totals:	<u>\$8,992,235</u>	<u>\$8,992,235</u>		<u>\$1,205,923</u>		