



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Tom Scanlon, City Council President  
Leighton Rogers, City Clerk

## CITY COUNCIL WORK SESSION AGENDA 2<sup>nd</sup> Floor Atrium, 38 Hawley St, Binghamton 6pm Monday, May 18, 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(s)
6:00pm	-----	-----	CDAC Recommendation	-----	Karl Bernhardsen/ Steve Carson
6:15pm	MPA	Resciniti	<b>RL20-97:</b> Authorizing the Mayor to enter into an agreement with R-1 to provide ambulance billing and services for a period of one year	1	Daniel Eggleston
6:20pm	Finance	Strawn	<b>RL20-98:</b> Amend the 2020 budget for surveying equipment	2	Chuck Shager
6:25pm	Finance	Strawn	<b>RL20-99:</b> Amend the BJCSB 2020 budget to refund Mechanic's Assistant position	3-6	Ed Crumb
6:30pm	Planning	Strawn	<b>RL20-96:</b> Accept payment and for the Mayor to execute an agreement with NYS DOT for acquisition of additional property for the Vestal Ave By-Pass PIN 9048.26.221	7-8	Jared Kraham/ Ken Frank
6:35pm	-----	-----	<b>Pending Legislation:</b> RL20-93: Allow the sale of tobacco products at 494.5 Chenango St where it is not permitted RL20-94: Agreement with NYSEG for a new 911 cell tower at Ely Park Golf Course	-----	Grace Doherty

### COMMITTEE REPORTS

*\*Please Expedite for Next Business Meeting*



# Legislative Branch

RL Number:  
20-97  
 Date Submitted:  
5/14/2020

**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:** Daniel Eggleston  
**Title/Department:** Fire Chief/ Fire Department  
**Contact Information:** Fire Administration, Chief Eggleston 772-7016

### RL Information

**Proposed Title:** A Resolution Authorizing The Mayor To Enter Into An Agreement With R-1 To Provide Ambulance Billing & Services For A Period Of One Year

**Suggested Content:** This Is A One (1) Year Extension Of R-1's Current Agreement To Provide Ambulance Billing Services. The Current Agreement Expires July 10, 2020 With An Automatically Renewable One (1) Year Period. The Terms Of The Agreement Remain The Same. Funds Are Available From Budget Line A3410.54410. (Professional Services)

### 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): R18-55

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

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# Legislative Branch

RL Number:  
20-98  
Date Submitted:  
5/15/2020

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Chuck Shager  
Title/Department: Comptroller  
Contact Information: 607-772-7011

### RL Information

Proposed Title: Ordinance resolution to amend the 2020 budget. FAR SURVEYING EQUIPMENT

Suggested Content: Increase A1680.52300 (Hardware/Software) \$9280.00 decrease A1440.51000  
Eng'r Personnel Serv (Engr Tech) \$9280.00. This transfer is needed to purchase surveying equip  
that broke and cannot be repaired.

### Additional Information

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

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

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



# Legislative Branch

RL Number: <b>20-99</b>
Date Submitted: <b>5/15/2020</b>

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

## REQUEST FOR LEGISLATION

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### 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 refund one previously de-funded Mechanic's Assistant position

**Suggested Content:** The Board requests the Owners to process legislation to refund one Mechanic's Assistant position for the remainder of the year and de-fund one vacant Mechanic position on line J8130.51000 Personal Services. This is a net reduction of \$5,813.00 which should be transferred to line J8130.55000 Contingency. Board motion 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): \_\_\_\_\_

OFFICE USE ONLY	
<b>Mayor:</b>	_____
<b>Comptroller:</b>	_____
<b>Corporation Counsel:</b>	_____
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"/>



Binghamton-Johnson City  
JOINT SEWAGE BOARD



Chris Papastrat  
Ray L. Standish, P.E.  
Edward Crumb

George Kolba, Jr.  
Stephen Andrew  
Ron C. Davis

**CERTIFICATE OF RESOLUTION OF THE  
BINGHAMTON-JOHNSON CITY JOINT SEWAGE BOARD REGARDING:  
BUDGET MODIFICATIONS IN THE 2020 BUDGET TO FUND ONE MECHANIC ASSISTANT POSITION  
& DEFUND ONE MECHANIC POSITION FOR THE REMAINDER OF THE 2020 YEAR**

I, Michele Cuevas, Confidential Secretary of the Binghamton-Johnson City Joint Sewage Board, **DO HEREBY CERTIFY** that, at the regular meeting of the Binghamton-Johnson City Joint Sewage Board held on **May 12, 2020**, duly convened and a quorum being present and participating throughout the subject action set forth below, the following **RESOLUTION** was duly adopted on motion duly made, seconded, and carried, which **RESOLUTION** remain in full force and effect:

Board Members present:

Chris Papastrat (Chairman), George Kolba, Jr., (Vice-Chairman), Edward Crumb, Ray Standish, Stephen Andrew

**Motion made by Stephen Andrew to approve modifications in the 2020 Joint Sewage Board Budget to fund one (1) Mechanic's Assistant Position and defund one (1) Mechanic Position for the remainder of the year. (See attached motion)**

**George Kolba seconded the motion**

**Motion carried 6/0**

**I HEREBY CERTIFY** that the foregoing is a true and complete copy of the resolution duly adopted at the aforesaid meeting of the Joint Sewage Board in accordance with the provisions of said Board's By-Laws, that the resolution has not in any way been rescinded or annulled, and that the resolution is still in full force and effect.

**IN WITNESS WHEREOF**, I have hereunto set my hand as Confidential Secretary of the Joint Sewage Board, this 15<sup>th</sup> day of May 2020.

  
Charles Pearsall  
Business Manager, Joint Sewage Board

  
Michele A. Cuevas  
Confidential Secretary, Joint Sewage Board

Binghamton-Johnson City Joint Sewage Treatment Facilities  
4480 Vestal Road, Vestal, New York 13850  
Phone: 607-729-2975 Fax: 607-729-3041  
Email: bjcwwtp@stny.rr.com

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**MOTION TO APPROVE BUDGET MODIFICATIONS  
IN THE 2020 JOINT SEWAGE BOARD BUDGET  
TO FUND ONE MECHANIC'S ASSISTANT POSITION,  
AND  
DEFUND ONE MECHANIC POSITION,  
FOR THE REMAINDER OF THE YEAR**

Motion by Stephen Andrew to approve modifications in the 2020 Joint Sewage Board Budget to fund one Mechanic's Assistant position and defund one Mechanic Position for the remainder of the year, by:

[ i] reducing the [*previously-amended*] budget line J8130.51000 ("Personal Services") by a net \$5,813.00 (to \$2,644,966.00) by:

(a) amending the [*previously-amended*] subline of budget line J8130.51000

*Mechanic - 5 @ up to 28.48 - 1.00 @ 296,192.00*

to read:

*Mechanic - 4.46 @ up to 28.48/hr - 1.00 @ 264,294.00*

and

(b) amending the [*previously-amended*] subline of budget line J8130.51000

*Mechanic's Assistant - 0 @ up to 25.29/hr (2 unfunded) - 1.00 @ 0.00*

to read:

*Mechanic's Assistant - 0.54 @ up to 25.29/hr (1.46 unfunded) - 1.00 @ 26,085.00*

and

[ii] increasing budget line J8130.55000 ("Contingency") by \$5,813.00 (to \$230,813.00),

and that Requests for Legislation be promptly submitted to the Owners' Legislative Bodies.

Seconded by George Kolba, Jr.

Motion carried unanimously.

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5/12/2020

MOTION TO APPROVE BUDGET MODIFICATIONS  
IN THE 2020 JOINT SEWAGE BOARD BUDGET  
TO FUND ONE MECHANIC'S ASSISTANT POSITION,  
AND  
DEFUND ONE MECHANIC POSITION,  
FOR THE REMAINDER OF THE YEAR

Motion by Steve Andrew to approve modifications in the 2020 Joint Sewage Board Budget to fund one Mechanic's Assistant position and defund one Mechanic Position for the remainder of the year, by:

[ i ] reducing the [*previously-amended*] budget line J8130.51000 ("Personal Services") by a net \$5,813.00 (to \$2,644,966.00) by:

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to read:

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and

[ii] increasing budget line J8130.55000 ("Contingency") by \$5,813.00 (to \$230,813.00),

and that Requests for Legislation be promptly submitted to the Owners' Legislative Bodies.

Seconded by George Kolba, Jr.

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# Legislative Branch

RL Number:

20-96

Date Submitted:

5/13/2020

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

## REQUEST FOR LEGISLATION

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### Applicant Information

Request submitted by: Jared M. Kraham / Kenneth Frank

Title/Department: Office of the Mayor / Corporation Counsel

Contact Information: (607) 772-7001 / 7013

### RL Information

Proposed Title: A RESOLUTION AUTHOIZING THE CITY TO ACCEPT PAYMENT AND FOR THE MAYOR TO EXECUTE ANY AGREEMENT WITH NYS DOT FOR ACQUISITION OF ADDITIONAL PROPERTY FOR THE VESTAL AVE BY-PASS, PIN 9038.26.221

Suggested Content: NYS DOT is taking additional property at Vestal Ave, By-Pass. This is one parcel. The appraised value is \$15,000.

### Additional Information

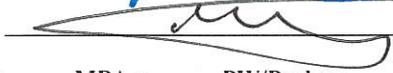
Does this RL concern grant funding? Yes  No

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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"/>

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NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
OFFICE OF RIGHT OF WAY  
REGION 9

**EXPLANATION OF ACQUISITION/OFFER OF SETTLEMENT**

**PIN:** 9038.26.221                      **PROC#:** 14735                      **SH:** C49-8                      **DECL:** 1252  
**PROJECT:** City of Binghamton, Arterial Route No. 17 Vestal Avenue By-Pass West City Line to Pennsylvania Avenue  
**COUNTY:** Broome                      **TOWN/CITY:** Binghamton                      **VILLAGE:**  
**MAP(S):** 62                      **PARCEL(S):** 69 (Fee)

**CLAIMANT(S):** City of Binghamton

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**EXPLANATION OF ACQUISITION**

**Map 62, Parcel 69** is a 11,445± sf. (0.263± acre) irregular-shaped Fee, spanning 108'± frontage on Vestal Avenue and 52'± frontage on Route 434 without access, as shown on the enclosed map. The FEE acquisition creates a 9,700± square foot uneconomic remainder beginning at the easterly property boundary. An uneconomic remainder is defined as a remaining part of land after a partial acquisition, which suffers substantial consequential damage because of its size, shape, topography, lack of or severe restriction of access, or a combination of these features, or has lost its economic utility, is incapable of development in a profitable manner in and of itself, or is of little or no utility or value to the owner, as determined by the Department. The amount of damages under item 2 below is the loss in value to the remainder caused by the FEE acquisition. After damages, the uneconomic remainder is left with a value of \$500. No land improvements are in the FEE area.

**Offer Of Settlement**

1. Direct Damages (11,445± sf.)	\$5,725.00
2. Indirect Damages: (9,700± sf uneconomic remainder)	\$9,225.00 (rounded)
3. Rental Value - Temporary Occupancy	\$None
4. Rental Value - Temporary Easement	<u>\$None</u>
<b>Total Damages - Just Compensation</b>	<b>\$15,000.00 (Rounded)</b>

The above value represents the amount of our highest approved appraisal, developed in accordance with appraisal standards as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). If you are satisfied with our explanation of the acquisition and accept the offer as fair and reasonable, please choose the agreement option you prefer, sign and return both copies in the self-addressed envelope provided. Once we receive your signed agreement and closing papers have been completed and processed, payment can be made to you.

Because an uneconomic remainder has been created, the State will purchase this uneconomic remainder, if the City of Binghamton so desires. The purchase price will be the value of the uneconomic remainder after damages, which is \$500.00.

Please note that, in making this offer and any subsequent payment, the Commissioner of Transportation and the State of New York reserve certain rights, as explained in this paragraph. If, in the course of the construction of this project or the use or occupation of the property by the State or its authorized agents, it is discovered that hazardous or contaminated materials are present on any portion of the property in which the State is acquiring an interest, and such condition requires remediation by the Department of Transportation and/or some other State agency, the Commissioner and the State shall have the right to assert any claim, fine or penalty authorized by law against you or any other person or entity who owned, occupied or used the property, or caused such contamination, prior to the State's acquisition. This includes the right to assert a claim against any payment made pursuant to either of the enclosed Agreements or any subsequent payment, including any court award or settlement.