



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

Date: May 20, 2020

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

Introduced by Committee: Public Works/Parks & Recreation

**ORDINANCE**

*entitled*

AN ORDINANCE AUTHORIZING THE MAYOR  
TO ENTER INTO A PERMANENT EASEMENT  
AGREEMENT WITH NYSEG FOR ELECTRICAL  
SERVICES TO THE NEW 911 CELL TOWER AT  
ELY PARK GOLF COURSE

WHEREAS, the City of Binghamton is owner of owner of Ely Park Golf Course, 67 Ridge Street, Binghamton, New York, Parcel No. 144.10-1-1; and

WHEREAS, the City of Binghamton wishes to grant a permanent easement to New York State Electric and Gas Corporation ("NYSEG") for electrical services to the new 911 cell tower located at Ely Park Golf Course; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended the easement on May 6, 2020.

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

Section 1. That the Mayor of the City of Binghamton, or his designee, is hereby authorized to grant an easement and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to NYSEG for electrical services to the new 911 cell tower located at Ely Park Golf Course.

Section 2. That this Ordinance shall take effect immediately.



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

Date: May 20, 2020

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

Introduced by Committee: Planning

**ORDINANCE**

*entitled*

AN ORDINANCE TO ALLOW SALE OF  
TOBACCO PRODUCTS AT 494.5 CHENANGO  
STREET WHERE IT IS NOT PERMITTED DUE  
TO BEING WITHIN 500 FEET OF A SCHOOL

WHEREAS, pursuant to Permanent Ordinance O14-19, dated April 9, 2014, City Council amended § 410-24, *Performance standards*, regarding the sale of tobacco products near schools; and

WHEREAS, pursuant to Permanent Ordinance O19-157, dated December 18, 2019, City Council further amended § 410-24, *Performance standards*, as follows:

P. Tobacco Sales Near Schools Prohibited. The sale of tobacco and tobacco products (including but not limited to: cigarettes, cigars, pipe tobacco, chewing tobacco, and electronic cigarettes) is expressly prohibited within 500 feet of any property boundary of any public or private elementary or secondary school, except upon appeal to the Common Council as provided herein; and

WHEREAS, Tarek Algahaim, the owner of 494.5 Chenango Street, has requested approval to sell tobacco products within 500 feet of a school; and

WHEREAS, on April 24, 2020, the Planning Commission approved a site plan for retail food sales at 494.5 Chenango Street, including sale of tobacco; and

WHEREAS, Council of the City of Binghamton has the authority to allow a place of business to sell tobacco product within 500 feet of a school as provided by § 410-24.P.

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 the application of Tarek Algahaim, the owner of 494.5 Chenango Street, to sell tobacco products within 500 of a school in conjunction with the operation of the premises for retail food sales.

Section 2. That this Ordinance shall become effective immediately.