



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Tom Scanlon, City Council President
Leighton Rogers, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON
Business Meeting Agenda
2nd Floor Atrium, 38 Hawley Street, Binghamton, NY 13901
Wednesday, August 5, 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 July 22, 2020 Business Meeting and July 27, 2020 Special Business Meeting

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

No items to report.

City Council Planning & 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

VII. PUBLIC HEARING

1. City Council will hold a Public Hearing regarding Introductory Local Law 20-01: A Local Law amending Chapter 170 of the Code of the City of Binghamton to include "ARTICLE III, CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY" also known as "Social Host Law"

VIII. SET PUBLIC HEARINGS



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Tom Scanlon, City Council President
Leighton Rogers, City Clerk

IX. PUBLIC COMMENT/COMMUNICATION

*Please note: Residents wishing to submit public comment may do so electronically by emailing their comments prior to 6:00pm on the day of the meeting to clerk@cityofbinghamton.com (preferred) or via telephone during public comment at (607) 772-7101 as City Hall will be closed to the public during the meeting.

X. REVIEW OF MAYORAL VETO

XI. SECOND READING LEGISLATION

XII. FIRST READING LEGISLATION

A. PREFERRED AGENDA

Introductory Ordinance 20-72. Considered in Finance: Strawn

An Ordinance to amend the 2020 Capital Fund budget to close grant lines that are no longer active

Introductory Ordinance 20-73. Considered in Finance: Strawn

An Ordinance to amend the 2020 Binghamton-Johnson City Joint Sewage Board budget for health insurance, permits, and fines and equipment rental/lease

Introductory Resolution 20-70. Considered in Planning: Strawn

A Resolution authorizing the Mayor to enter into an agreement with the NYSDOT for placement/replacement of street lighting along the pathway for the Greenway Project, NYS Route 434 (SH # 49-8), PIN 903826

Introductory Resolution 20-71. Considered in Planning: Strawn

A Resolution authorizing the Mayor to enter into an agreement with the NYSDOT for the shared-use path on Pennsylvania avenue to Murray hill road for the greenway project, NYS Route 434 (SH # 49-8), PIN 903826

Introductory Resolution 20-72. Considered in Planning: Strawn

A Resolution authorizing the Mayor to extend the time for construction the State Street pedestrian/streetscape improvements PIN 9009.36 and state street traffic signal upgrade, PIN 9754.08

B. NON-PREFERRED AGENDA

Introductory Local Law 20-01. Considered in MPA: Resciniti

A Local Law amending the Code of the City of Binghamton to amend Chapter 170, to include "ARTICLE III CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY" also known as "Social Host Law"



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Tom Scanlon, City Council President

Leighton Rogers, City Clerk

Introductory Resolution 20-73. Considered in Finance: Strawn

A Resolution authorizing the city of Binghamton Police Department to use awarded funds to implement the GIVE VI Initiative and fund aspects of the Southern Tier Crime Analysis Center

Introductory Resolution 20-74. Considered in Finance: Strawn

A Resolution authorizing the Mayor to accept and use \$250,000 through the DOJ Cops Office to fund the hiring of two newly appointed officers for a three year period

Introductory Resolution 20-68. Considered in MPA: Resciniti

A Resolution authorizing an agreement with Keystone Associates Architects, Engineers, and Surveyors LLC for design services for a new fire station at a cost not to exceed \$650,000

XIII. COMMUNICATIONS FROM COUNCIL MEMBERS

XIV. ADJOURNMENT



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

Date: August 5, 2020

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO AMEND THE 2020
CAPITAL FUND BUDGET TO CLOSE GRANT
LINES THAT ARE NO LONGER ACTIVE**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2020 Capital budget to close bond lines that are no longer active; and

WHEREAS, the budget amendments were approved by the Board of Estimate and Apportionment on August 5, 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 Capital budget to close bond lines that are no longer active as follows:

Decrease Expense Lines:

\$55,008.63	H1440.555555.EG001 (Ross Prk Amp.Thrte)
6,161.50	H8730.555555.C0038 (Urb. Forestry Grant/Trees)
2,492.96	H3120.555555.P0056 (Edward Byrne Leg. Grant)
311.89	H1210.555555.M0009 (DASNY Grant - Barta)
121.86	H3120.555555.P0052 (Police Protective EQ Grant-BC)

\$64,096.84

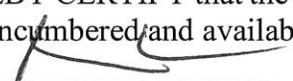
Decrease Serial Bonds:

\$55,008.63	H.43089.EG001(State Aid-Ross Prk Amp.Thrte)
6,161.50	H43989.C0038 (State Aid- Forestry/Trees)
2,492.96	H.43389.P0056 (State Aid- Other Public Safety)
311.89	H.43989.M0009 (State Aid- DASNY/Barta)
121.86	H.42706.P0052 (Grants From Other Govts)

\$64,096.84

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: August 5, 2020

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

Introduced by Committee: Planning

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH THE
NYS DOT FOR PLACEMENT/REPLACEMENT
OF STREET LIGHTING ALONG THE
PATHWAY FOR THE GREENWAY PROJECT,
NYS ROUTE 434 (SH # 49-8), PIN 903826

WHEREAS, the State of New York Department of Transportation proposes to install a lighting system on or along with the project located in County of Broome and within the geographical jurisdiction of the MUNICIPALITY (City of Binghamton) for the Greenway Project, PIN # 903826; and

WHEREAS, the project is at no cost to the City of Binghamton; and

WHEREAS, the City of Binghamton approves of such project and desires to have a lighting system on such project within its geographical jurisdiction; and

WHEREAS, the State of New York has agreed to install pedestrian lighting along the pathway, the MUNICIPALITY (City of Binghamton) agrees to maintain, repair and operate such project lighting for a period of not less than twenty-five years.

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

RESOLVE that the City of Binghamton does approve the above subject project; and it is further

RESOLVED that the NYSDOT should install pedestrian lighting along the pathway; and be it further

RESOLVED that the City Council of the City of Binghamton hereby authorizes the Mayor of the City of Binghamton to enter into agreement with the State of New York and through the Commissioner of Transportation to commit the NYSDOT install pedestrian lighting at its own expense; and that such agreement provides that maintenance shall include the repair and replacement of equipment, energizing and the operation of such project lighting; and be it further

RESOLVED, that the Clerk of this City of Binghamton is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation, 44 Hawley Street, Binghamton, New York 13901-3200, Attention Regional Utility Engineer.



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

Date: August 5, 2020

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

Introduced by Committee: Planning

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH THE
NYS DOT FOR THE SHARED-USE PATH ON
PENNSYLVANIA AVENUE TO MURRAY HILL
ROAD FOR THE GREENWAY PROJECT, NYS
ROUTE 434 (SH # 49-8), PIN 903826

WHEREAS, the State of New York Department of Transportation proposes to relocate sanitation lines, water lines, appurtenance, plate reader, and street lights with the project located in County of Broome and within the geographical jurisdiction of the MUNICIPALITY (City of Binghamton) for the Greenway Project, PIN 903826; and

WHEREAS, the project is at no cost to the City of Binghamton; and

WHEREAS, the City of Binghamton approves of such project and desires to have a maintenance plan for the project within its geographical jurisdiction; and

WHEREAS, the City of Binghamton will maintain these items upon the completion of the project.

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

RESOLVE that the City of Binghamton does approve the above subject project; and it is further

RESOLVED that the City Council of the City of Binghamton hereby authorizes the Mayor of the City of Binghamton to enter into agreement with the State of New York and through the Commissioner of Transportation to relocate sanitation lines, water lines, appurtenance, plate reader, and street lights at no cost to the City of Binghamton; and be it further

RESOLVED, that the City of Binghamton will maintain these items upon the completion of the project; and be it further

RESOLVED, that the Clerk of this City of Binghamton is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation, 44 Hawley Street, Binghamton, New York 13901-3200, Attention Regional Utility Engineer.



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

Date: August 5, 2020

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

Introduced by Committee: Planning

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO EXTEND THE TIME FOR CONSTRUCTION
THE STATE STREET
PEDESTRIAN/STREETScape
IMPROVEMENTS PIN 9009.36 AND STATE
STREET TRAFFIC SIGNAL UPGRADE, PIN
9754.08

WHEREAS, pursuant to Permanent Resolution 18-46, dated May 9, 2018, the City of Binghamton entered into a professional services agreement with Barton & Loguidice, DPC for construction review services for the State Street Pedestrian/Streetscape Improvements, PIN 9009.36, and State-Hawley Street signal upgrade, PIN 9754.08; and

WHEREAS, the City Engineer has recommended a contract extension at no cost to the City of Binghamton from May 25, 2020, to June 30, 2020; and

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

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into a no cost time extension, approved as to form and content by the Office of Corporation Counsel, with Barton & Loguidice, DPC from May 25, 2020, to June 30, 2020, for construction inspection services on the State Street Pedestrian/Streetscape Improvements, PIN 9009.36 and State Street Traffic Signal Upgrade, PIN 9754.08.



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

Date: August 5, 2020

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

Introduced by Committee: Municipal & Public Affairs

LOCAL LAW NO. 1 OF 2020

entitled

A LOCAL LAW AMENDING THE CODE OF THE
CITY OF BINGHAMTON TO AMEND CHAPTER
170, TO INCLUDE "ARTICLE III
CONSUMPTION OF ALCOHOLIC BEVERAGES
BY MINORS ON PRIVATE PROPERTY" ALSO
KNOWN AS "SOCIAL HOST LAW"

WHEREAS, the City of Binghamton wishes to curb underage drinking; and
WHEREAS, those providing alcohol to minors should be held accountable; and
WHEREAS, a "Social Host Law" will provide the City with additional authority to combat
this issue.

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 170, Alcoholic
beverages, is hereby amended to add a new Article III, *Consumption of Alcoholic Beverages by
Minors on Private Property*, also known as "Social Host Law" as annexed hereto as Exhibit A.

Section 2. That this local law shall take effect immediately upon filing in the office of
the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule
Law.

LOCAL LAW XXXX

AN ORDINANCE AMENDING CHAPTER 170 BY THE ADDITION OF A NEW ARTICLE TO THE
CITY OF BINGHAMTON CODE

ENTITLED

"ARTICLE III, CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE
PROPERTY"

BE IT ORDAINED by the City Council of the City of Binghamton as follows:

Section 1. Chapter 170 of the Code shall be amended by the addition of a new Article entitled "Article III, Consumption of alcoholic beverages by minors on private property," as follows:

ARTICLE III

Consumption of Alcoholic Beverages By Minors On Private Property

§ 170-11 Legislative intent.

It is the purpose of this article to protect the public interest, welfare, health and safety within the City of Binghamton by prohibiting the service to and consumption of alcoholic beverages and drugs by persons under the age of 21 at private residences located in the City of Binghamton. The City Council finds that the occurrence of social gatherings at private residences where alcoholic beverages or drugs are served to or consumed by persons under the age of 21 is harmful to such persons themselves and a threat to public welfare, health and safety. The City Council finds further that persons under the age of 21 often obtain alcoholic beverages or drugs at such gatherings and that such persons who are in control of such residences know or have reason to know of such service and/or consumption and will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of 21 at these gatherings.

§ 170-12 Definitions.

For the purpose of this article, the following terms shall be defined as follows:

ALCOHOLIC BEVERAGES

Any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person; except that confectionaries containing alcohol as provided in Subdivision 12 of § 200 of the Agricultural and Markets Law shall not be considered alcoholic beverages within the meaning of this section.

CONTROL

The authority and ability to regulate, direct or dominate.

DRUG

Includes any substance listed in § 3306 of the Public Health Law.

MINOR

Any person under the age of 21.

OPEN HOUSE PARTY

A social gathering or otherwise, at a residence or other private property with minors present.

PERSON

A human being and, where appropriate, a public or private corporation, an unincorporated association, partnership, a government or a governmental instrumentality.

RESIDENCE

Any home, apartment, condominium, cooperative unit, complex, or dwelling unit of any kind, including amenity spaces, yards and open areas adjacent thereto.

§ 170-13 Prohibition.

No person having control of any residence shall allow an open house party to take place at said residence if such person knows or has reason to know that any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by a minor at said residence.

§ 170-14 Exceptions.

The provisions of this article shall not apply to:

- A. The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to § 65-c of the New York State Alcoholic Beverage Control Law, or any other applicable law; or
- B. The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by other applicable law.

§ 170-15 Inconsistency with other laws; severability.

- A. If any part or provision of this article is inconsistent with any federal or state statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail.
- B. If any part or provision of this article or the application thereof to any person or circumstance be adjudged invalid by a court or competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section or the application thereof to other persons or circumstances.

§ 170-16 Penalties for offenses.

Failure to comply with the provisions of this ordinance shall constitute a violation, punishable by a fine of \$1,000 or imprisonment for 15 days.

Section 2. This act shall take effect immediately.



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

Date: August 5, 2020

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE CITY OF BINGHAMTON POLICE DEPARTMENT TO USE AWARDED FUNDS TO IMPLEMENT THE GIVE VI INITIATIVE AND FUND ASPECTS OF THE SOUTHERN TIER CRIME ANALYSIS CENTER

WHEREAS, the City of Binghamton is eligible for the GIVE VI Grant, in the amount of \$231,285 to be used for the crime reduction initiative that helps the City of Binghamton Police department in their efforts to stop violent crime; and

WHEREAS, the GIVE VI Grant is reimbursable; the grant funds will be administered by the Chief of Police or his designee; and the estimated date of completion will be June 30, 2021.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to accept GIVE VI Grant, in the amount of \$231,285 to be used for the crime reduction initiative that helps the City of Binghamton Police department in their efforts to stop violent crime; and be it further

RESOLVED that there is no City match for the acceptance of such funds; that the Chief of Police or his designee shall be the grant project administrator; and that the estimated date of completion will be June 30, 2021.



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

Date: August 5, 2020

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND USE \$250,000 THROUGH THE DOJ COPS OFFICE TO FUND THE HIRING OF TWO NEWLY APPOINTED OFFICERS FOR A THREE YEAR PERIOD

WHEREAS, the City of Binghamton Police Bureau is eligible to receive a US Department of Justice COPS Grant in the amount of \$250,000; and

WHEREAS, the funds will be used to fund two newly appointed police officers; and

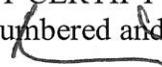
WHEREAS, the grant requires a local match of 25%, the grant funds will be administered by the Chief of Police, or his designee; and the estimated date of completion is June 30, 2023.

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

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to accept a US Department of Justice COPS Grant for \$250,000; and the Comptroller and City Treasurer of the City of Binghamton are directed to amend the budget accordingly; and be it further

RESOLVED that there is a City match of 25% for the acceptance of such funds and that funds will be deducted from budget line A3120.51000 (Police Personal Wages) for this purpose, the Chief of Police, or his designee, shall be the grant project administrator, and that the estimated date of completion is June 30, 2023.

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: August 5, 2020

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

Introduced by Committee: Municipal and Public Affairs

RESOLUTION

entitled

A RESOLUTION AUTHORIZING AN AGREEMENT WITH KEYSTONE ASSOCIATES ARCHITECTS, ENGINEERS, AND SURVEYORS LLC FOR DESIGN SERVICES FOR A NEW FIRE STATION AT A COST NOT TO EXCEED \$650,000

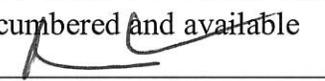
WHEREAS, the City of Binghamton is the contract vendee for 235 Court Street, (Parcel ID # 160.35-2-50) to be purchased for a new Binghamton Fire Department Station; and

WHEREAS, the City wishes to enter into a professional service agreement with Keystone Associates, Architects, Engineers, and Surveyors, LLC for design services for the new Fire Station at a cost not to exceed \$650,000.

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

RESOLVE that the Mayor is hereby authorized to enter into a professional services agreement, approved as to form and content by the Office of Corporation Counsel, with Keystone Associates, Architects, and Surveyors, LLC for design services for the new Fire Station at a cost not to exceed \$650,000, and that funds will be deducted from budget line H3410.525326.72720 (NEW FIRE STATION) for this purpose.

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



Chuck Shager, Comptroller