Legal Counsel Approval

RL14-153

Introductory No. O14-59

Permanent No. **VETOED**

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: October 22, 2014

Sponsored by Council Members: Berg, Motsavage, Matzo, Mihalko, Papastrat

Introduced by Committee: Finance

ORDINANCE
entitled
AN ORDINANCE ADOPTING THE TAX BUDGET FOR THE YEAR 2015

WHEREAS, the Mayor did, on September 15, 2014, and the same was confirmed by the Board of Estimate and Apportionment on September 15, 2014, submit to the Common Council of the City of Binghamton, in writing, the estimate of the probable revenue to be received by the City of Binghamton, and, also, of the several sums of money deemed necessary to pay the expenses of conducting the business of said City, and each department and office thereof, and for the various purposes contemplated by the Charter and Code of the City of Binghamton, the Second Class Cities Law, and all other laws applicable thereto for the 2015 fiscal year commencing January 1, 2015, and also to pay the principal and interest of any indebtedness falling due during said period and not otherwise provided for; and

WHEREAS, the Council, after giving due notice of hearing thereof, pursuant to the Charter and Code of the City of Binghamton and Second Class Cities Law § 75, has heard all citizens and taxpayers who desire to be heard in reference to said estimate.

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

Section 1. That said estimate, as so submitted by the Mayor and the Board of Estimate and Apportionment to the Common Council, pursuant to Second Class Cities Law § 75 and the Charter of the City of Binghamton § 62 on September 15, 2014, be and the same hereby is amended and adopted as hereinafter set forth in full, and said sums contained in said estimate, as so amended, of revenues to be received by the City for such period, be and the same hereby are adopted in the amounts and for the several departments, officers and employees named therein.

Section 2. That the several sums, aggregating $103,298,707.81 specified in said estimate, as so amended, for paying the expenses of conducting the business of said City, and for the various purposes contemplated by the Supplemental Charter applicable thereto, for said year, after deducting that portion of estimated revenue and the balances applicable for such purposes in the amount of $54,898,377.70 which leaves the sum of $48,400,330.11 constituting the tax budget of fiscal year 2015, of which the amounts of $11,885,890.00 to be raised by tax other

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than on real estates, leaving a balance of $36,514,440.11 to be raised by a tax upon real estate, an itemized statement which is attached hereto and made a part hereof.

Section 3. That the sum of $36,514,440.11 be and the same hereby is levied and assessed, and that the same be raised by tax upon the real and personal property liable to tax in the City of Binghamton, at the time and in the manner provided for by the Second Class Cities Law, the Charter and Code of the City of Binghamton, and tax law and all other laws applicable thereto.

Section 4. A sum of $846,856.46 and $873,825.35 representing unpaid water and sewer rents respectively billed for the period ending August 2014 and remaining unpaid as of September 1, 2014 and subject to receipt of further payments, are hereby levied and become a lien upon real property liable for said unpaid rents.

Section 5. That this Ordinance shall take effect immediately.

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

Chuck Shager, Comptroller

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Berg, Motsavage, Matzo, Mihalko, Papastrat

AN ORDINANCE ADOPTING THE TAX BUDGET FOR THE YEAR 2015

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

October 22, 2014
Date

Jeremy Pellettiere
City Clerk

October 23, 2014
Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia				✓
Webb	✓			✓
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	5	0	0	2

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated

5 Ayes 0 Nays 0 Abstain 2 Absent

*See Veto Memo

MEMORANDUM
OFFICE OF THE MAYOR

Richard C. David, Mayor
Jared M. Kraham, Executive Assistant
Donna Ferranti, Secretary

DATE: Nov. 6, 2014

TO: City Council

CC: Jeremy Pelletier, City Clerk
Ken Frank, Corporation Counsel
Chuck Shager, Comptroller
Gary Holmes, Commissioner of Public Works
William Barber, Director, Parks & Recreation
Jennie Skeadas-Sherry, Director, Planning, Housing & Community Development
Joseph Yannuzzi, Water / Sewer Superintendent

FROM: Richard C. David, Mayor

RE: Veto — Ordinance 014-59, An Ordinance Adopting The Tax Budget For The Year 2015

I would like to thank City Council for its support of my 2015 Proposed Budget. After consideration, I have decided to veto some of Council's changes to the proposed budget and restore the stated funds (unless otherwise noted) to the following budget lines:

A1440.51800 — Engineering, Temporary Services: $3,000.00 (restore)
The balance remaining after Council's cut is not adequate to cover estimated expenses, which is why I am restoring this line to its originally budgeted amount.

A1620.54440 — City Hall – Operation of Plant, Elevator Service & Repair: $5,000.00 (restore)
These funds are necessary for mandated elevator safety inspections, repairs and maintenance.

A1650.54410 — Signals/Combined Shops, Professional Services: $2,080.00 (restore)
The balance remaining after Council's cut is not adequate to cover estimated expenses, which is why I am restoring this line to its originally budgeted amount.

A5182.54202 — Street Lighting, Electricity: $50,000.00 (restore)
Estimated costs were carefully determined by the Commissioner of Public Works and City Comptroller. The balance remaining after Council's cut is not adequate to cover estimated expenses, which is why I am restoring this line to its originally budgeted amount.

A7020.51000 — Parks & Rec Admin, Commissioner of Parks: $59,684.00 (restore)
The Department of Parks & Recreation plays an important role in improving the quality of life in every corner of the City and works in tandem with many other departments to accomplish that goal. Department heads should be management appointed, serving as part of an executive management team at the pleasure of the Mayor. This department's recent history shows the problems that can arise from a department head not being accountable to any executive authority. Making the Director of Parks & Recreation a Commissioner of Parks will prevent that.

A8684.54701 — Planning & MGMT Dev, Travel & Training: $3,000.00 (restore)
In 2015, two positions will be filled, Assistant Director of Planning, Housing & Community Development and Grants Administrator. As PHCD deals daily with many technical and regulatory issues, it's paramount that staff members are well-trained. In addition to technical training, conferences and workshops can spark creative solutions to different community development challenges and networking opportunities. Specifically, the Grants Administrator must receive regular training to stay up-to-date on the latest policies and protocols from the U.S. Department of Housing and Urban Development, which administers roughly $1.9 million in Community Development Block Grants to the City. The balance remaining after Council's cut is not adequate to provide training for two new staff members, which is why I am restoring this line to its originally budgeted amount.

CL8160.51900 — Refuse Disposal, Overtime: $14,800.00 (restore)
The balance remaining after Council's cut is not adequate to cover estimated expenses, which is why I am restoring this line to its originally budgeted amount.

CL8160.54112 — Refuse Disposal, Gasoline / Diesel Fuel: $40,000.00 (restore)
Estimated costs were carefully determined by the Commissioner of Public Works and City Comptroller. The balance remaining after Council's cut is not adequate to cover estimated expenses, which is why I am restoring this line to its originally budgeted amount.

CL8160.54662 — Refuse Disposal, Yard Waste Fee: $4,150 (remove)
By restoring Council's various cuts in the Refuse Fund, there are not adequate funds in Refuse Fund contingency to cover Council increasing this line by $4,150. Those additional funds are removed. Therefore, I am vetoing this increase.

FX8330.54665 — Water Purification, JSTP IPP: $50,000.00 (restore)
The balance remaining after Council's cut is not adequate to cover estimated expenses, which is why I am restoring this line to its originally budgeted amount.

H8340.525058.10515 — Capital Fund, Water Lines: $1,000,000.00 (restore)
In September, New York State Comptroller Thomas P. DiNapoli released a report detailing the need for local governments to increase capital spending on infrastructure. By his estimates, municipalities across the state are spending one third of what is required on infrastructure. "The decline in local government spending on water and sewer systems was significant," according to DiNapoli. Residents deserve roads with integrity and utility services that work. With debt service costs low and a crumbling infrastructure, now is the time to invest. This administration made a commitment to invest in the City's aging infrastructure. Unfortunately, years of neglect and deferred maintenance in this area mean that significant work must be done to reliably provide this basic municipal service.

H5182.525151.10515 — Capital Fund, Street Light Replacement: $2,000,000.00 (restore)
This administration's plan to replace the roughly 7,000 street lights with LED bulbs will be a significant step to improve public safety, streetscape aesthetics and the energy efficiency in the City of Binghamton. Residents, business owners and the Press & Sun-Bulletin's editorial board have expressed excitement and support for converting to LED technology. Our street lights will burn brighter and last longer. The costs of replacing the bulbs will be recouped through energy and maintenance efficiencies, which will provide savings to taxpayers for years to come.

H5650.525080.10515 — Capital Fund, Parking Ramps: $1,000,000.00 (restore)
Over the years, multiple studies have shown the City's parking garages are in various states of disrepair. Beyond normal fixes, several major projects are necessary to bring the ramps into safety and structural compliance, as well as address handicap accessibility. The Collier St. garage is at the end of its useful life. Cosmetic fixes are no longer applicable and major improvements are planned. The City must also make significant investments in the State St. and Water St. parking garages as well.

Sincerely,

Richard C. David

Richard C. David
Mayor