



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

Date: December 18, 2013

Sponsored by Council Members: Motsavage, Webb, Rennia

Introduced by Committee: Municipal and Public Affairs

LOCAL LAW No __ of 2013

entitled

**A LOCAL LAW TO ESTABLISH A PUBLIC
ARTS COMMISSION**

WHEREAS, the City of Binghamton wishes to establish a Public Arts Commission; and

WHEREAS, the Council of the City of Binghamton wishes to amend §18-39, *Commission established; composition; appointment and qualification of members*, §18-47, *Powers and functions concerning municipal property; approval of design of site, design of structure, location, alteration and demolition*, §18-48, *Factors considered prior to approval*; and

WHEREAS, to establish a Public Arts Commission, City Council wishes to adopt a new Article XVIII, *Public Arts Commission*, as annexed hereto.

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

Section 1. That §18-39, *Commission established; composition; appointment and qualification of members*, §18-47, *Powers and functions concerning municipal property; approval of design of site, design of structure, location, alteration and demolition*, §18-48, *Factors considered prior to approval* of the Code of the City of Binghamton, are hereby amended, as annexed hereto.

Section 2. That the Code of the City of Binghamton is amended to add Article XVIII, *Public Arts Commission*, as annexed hereto and made a part hereof.

Section 3. That this Local Law shall take effect upon filing with the Secretary of State.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:
Motsavage, Webb, Rennia

A LOCAL LAW TO ESTABLISH A PUBLIC ARTS
COMMISSION

The within Local Law was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

Strikethrough text to be removed, underlined text to be added.

ARTICLE VI, Commission on Architecture and Urban Design.

§ 18-39. Commission established; composition; appointment and qualification of members. [Amended 7-16-1973 by Ord. No. 149-73; Amended 12-21-11 by Ord. No. 11-52; Amended 10-17-2012 by Ord. No. 12-66]

To prevent the deterioration of property belonging to the City or property in which any City funds are involved and to advise builders to designers in regard to the use of space and the design of structures and to encourage protection of economic values and proper and appropriate use of surround areas, there is hereby established in and for the City a commission to be known as the "Commission on Architecture and Urban Design of the City of Binghamton." This Commission shall consist of seven (7) persons who shall be residents of the City or owners of real property situated therein, and who shall be appointed by the Mayor. Persons eligible for membership shall be persons who, by training, experience, interest or expertise, are qualified to carry out the duties of the Commission as set forth herein. The membership should include, if such persons are available and agreeable to serving, ~~a trained and experienced artist~~, a professional engineer or contractor, an architect, and a landscape architect or an expert in the field of landscaping. Each member of the Commission on Architecture and Urban Design shall be paid an annual stipend of four hundred (\$400.00) dollars. Payments shall be made in four installments, on or about April 1, July 1, October 1, and January 1 (for the previous year). Any member joining the Commission on Architecture and Urban Design other than prior to the first meeting of the year will be paid a proportionate amount of the stipend. Any member who is removed pursuant to the Code of the City of Binghamton Article I, *Vacancies due to nonattendance*; § 16-1, *Application*; § 16-2, *Determination of vacancy*; or § 410-91.D, *Removal of members*, shall not be paid for any missed meetings leading to dismissal.

§ 18-47. Powers and functions concerning municipal property; approval of design of site, design of structure, location, alteration and demolition.

- A. No design for a building, bridge, approach, gate, step, fence, lamp, or other structure or addition which shall be erected upon any street or property owned, leased, or occupied by the City, or involving the use of funds or monies of or from the City, shall be implemented without the approval of the Commission. ~~No work of art shall be erected or placed on or upon any street, park, public building or other property belonging to the City until the same and its proposed location have been approved by the Commission. No work of art or public structure may be removed, demolished, relocated or altered in any way without the approval of the Commission. The term "work of art" shall include but is not limited to paintings, mural decorations, stained glass, statues, reliefs and other sculptures, fountains, arches or other structures of a permanent character intended for ornamentation or commemoration.~~
- B. The Commission shall also consider the location of structures ~~and works of art~~ and may make recommendations for changes in location thereof.
- C. The Commission may recommend that works of art be a part of any new construction under their purview and may require that up to 1% of the total cost of construction be used for works of art. The review and approval of such art shall be under the authority of the Public Art Commission, as established in Article XVIII below.

~~F. Works of art acquired in any way by gift, bequest, or purchase by a museum shall not come within the jurisdiction of the Commission.~~

§ 18-48. Factors considered prior to approval.

In considering applications for the approval, and in the recommendation of designs for buildings or structures ~~and works of art~~ as set forth in this article, the Commission shall review all material submitted to it, taking into consideration, but not limited to, the following factors:

- A. The location of the building, structure, or sign ~~or work of art~~ on the site or street.
- C. The relation of the building, or structure ~~or work of art~~ to adjacent open space or spaces, including adjoining property, both private and public, including streets.
- D. The form and bulk of the building, or structure ~~or work of art~~ in association with other nearby structures.
- F. The placing of buildings, ~~works of art~~, or other structures in existing or newly created public open spaces, including parks.

ARTICLE XVIII, Public Art Commission

§18-115. Creation.

The City Council of the City of Binghamton hereby creates a commission that shall be known as the " Public Art Commission," hereinafter referred to as "the Commission." The Commission is formed to make decisions concerning the selection, acquisition, and display of public art.

§ 18-116. Purpose and duties.

The purposes and duties of the Commission shall be as follows:

- A. To create and oversee a public art program to enrich the visual and aesthetic environment of public, private and semipublic spaces within the City of Binghamton.
- B. To initiate and develop proposals, to receive recommendations and to solicit contributions for additions to the existing collection of art in public places.
- C. To develop criteria and guidelines for the selection, acquisition, exhibition and display of new works of art, either temporary (on loan) or permanent. The criteria and guidelines shall relate to, but are not limited to, economic feasibility, maintenance, security and aesthetics. Acquisition of art includes either the purchase of art by the City or the acceptance of a donation of art to the City.
- D. To advise the Common Council about the selection of acquisitions and donations of public art that meet the selection criteria and guidelines and to determine whether to accept unsolicited donations of art and where they may be located. Final approval of acceptance resides with the Common Council and the Mayor.
- E. To review all proposals for the exhibition and display of public art in the City's public spaces, in public buildings, and public facilities and infrastructure.
- F. Appropriate locations and elements of the environment that the Commission will consider or promote for the placement of public art may include but will not be limited to:
 - 1. Outdoor public spaces.
 - 2. Publicly owned buildings, interior and exterior.

3. The Commission will work with the owners of privately owned outdoor public space if requested by the owner.
 4. The Commission will work with the owners of privately owned semipublic interior spaces, if requested by the owner.
 5. The Commission will work to develop new and maintain existing public works projects, e.g., parking facilities, bridge improvements and lighting, acting in cooperation with other City departments.
- G. To review proposals for decorative elements in the City's public spaces, e.g. banners and fountains. The Commission shall provide advice on the location and aesthetics of these items.

§18-117. Historic Properties.

Any public art proposed to be located on the exterior of any designated historic property, either individually designated Local Landmark Properties or properties located in a designated Local Historic District, shall be subject to review and approval by the Commission on Architecture and Urban Design (CAUD) as set forth in Article XII above.

§ 18-118. Membership.

A. The Commission shall consist of a total of seven (7) members: five (5) voting members, all of whom shall be appointed by the Mayor; and two non-voting ex-officio members. All five (5) voting members shall be residents of the City of Binghamton. At least three (3) of the voting members shall be professionals from the field of design, visual arts, architecture or landscape architecture. The Executive Director of the Broome County Council of Arts, or designee, shall serve as a non-voting ex-officio member. A representative from the Gorgeous Washington Street Association shall serve as a non-voting ex-officio member.

§ 18-119. Terms of office; vacancies.

- A. The five (5) members shall be appointed for terms of three (3) years, except that the terms of the first Commission members shall be for such lesser periods of time as to provide appropriate staggered rotation and continuity.
- B. Vacancies on the Commission shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by expiration of term of office shall be filled only for the remainder of the unexpired term.

§ 18-120. Officers.

The Commission shall have a Chairperson and a Vice Chairperson, who shall be elected by and from among the members of the Commission once yearly.

§ 18-121. Compensation of members.

The members of the Commission shall receive no compensation for their services.

§ 18-122. Meetings.

- A. A quorum for the transaction of business shall consist of three (3) members of the Commission.
- B. The Commission shall meet at least every other month.
- C. The Commission shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities.



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

Date: December 18, 2013

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

Introduced by Committee: Public Works/Parks and Recreation

RESOLUTION

entitled

A RESOLUTION APPROVING THE ADOPTION
OF THE BINGHAMTON-JOHNSON CITY
JOINT SEWAGE TREATMENT FACILITIES
INTERMUNICIPAL AGREEMENT X (MASTER
IMA)

WHEREAS, on July 14, 1965, the City of Binghamton (“City”) and the Village of Johnson City (“Village”) entered into an Intermunicipal Agreement (“IMA”) for joint ownership and operation of a sewage treatment plant and related facilities known as the Binghamton-Johnson City Joint Sewage Treatment Facilities (“JSTF”); and

WHEREAS, the City and Village have adopted subsequent Intermunicipal Agreements from time to time, amending the original agreement adopted on July 14, 1965; and

WHEREAS, IMA II was adopted on December 7, 1967; IMA III was adopted on April 28, 1968; IMA IV was adopted on March 5, 1973; IMA V was adopted December 1989; IMA VI was adopted October 17, 2001; IMA VII was adopted September 1, 2009; IMA VIII (also known as the Phase III Remedial Project IMA) was adopted June 26, 2012; and IMA IX was adopted on May 6, 2013; and

WHEREAS, the City and Village wish to adopt a “Master IMA,” (Intermunicipal Agreement X) organizing the original agreement and all amendments into a single document and exhibits.

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 the Master IMA with the Village of Johnson City to adopt a “Master IMA,” (Intermunicipal Agreement X) organizing the original agreement and all amendments into a single document and exhibits, in the form attached hereto.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:
Motsavage, Webb, Mihalko, Matzo, Rennia, Berg,
Papastrat

A RESOLUTION APPROVING THE ADOPTION
OF THE BINGHAMTON-JOHNSON CITY JOINT
SEWAGE TREATMENT FACILITIES
INTERMUNICIPAL AGREEMENT X (MASTER
IMA)

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

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

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor



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

Date: December 18, 2013

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH
FIRST WARD ACTION COUNCIL IN THE
AMOUNT OF \$25,000 FOR FY 39 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG)
FUNDING FOR FIRST WARD ACTION
COUNCIL SENIOR HOUSING REPAIR
PROGRAM

WHEREAS, the City of Binghamton wishes to enter into an agreement with First Ward Action Council for the use of Fiscal Year 39 Community Development Block Grant funding in the total amount of \$25,000.00; and

WHEREAS, the Senior Housing Repair Program (SHRP) began in 1985 to assist senior citizens in performing minor repairs on their homes; and

WHEREAS, due to the use of CDBG funds the SHRP will give priority to senior citizens living in census tracts five and nine.

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

RESOLVE that the Mayor of the City of Binghamton, or his designee, is hereby authorized into an agreement, approved as to form and content by the Office of Corporation Counsel, with First Ward Action Council for the use of Fiscal Year 39 Community Development Block Grant funds in the total amount of \$25,000.00 for minor repairs to homes with priority to senior citizens living in census tracts five and nine and that funds shall be deducted from budget line CD8668.54000.CDY39 (Contractual).

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:
Webb, Motsavage, Matzo, Rennia, Mihalko, Berg,
Papastrat

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH FIRST
WARD ACTION COUNCIL IN THE AMOUNT OF
\$25,000 FOR FY 39 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG)
FUNDING FOR FIRST WARD ACTION COUNCIL
SENIOR HOUSING REPAIR PROGRAM

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

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

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor



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

Date: December 18, 2013

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

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ACCEPT \$48,500 IN GRANT FUNDS FROM
THE STEWART W. AND WILMA C. HOYT
FOUNDATION, INC. FOR A GREEN
STORMWATER AND LANDSCAPING
MATCHING FUND (GSLMF)

WHEREAS, the City of Binghamton is eligible to receive up to \$48,500.00 from the Stewart W. and Wilma C. Hoyt Foundation, Inc. for a Green Stormwater and Landscaping Matching Fund (GSLMF); and

WHEREAS, there is no required City match, the City of Binghamton's Sustainable Development Planner shall be the grant project manager, and the anticipated date of project completion is December 2014.

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

RESOLVE that the Council of the City of Binghamton does hereby approve the acceptance of a grant up to \$48,500.00 from the Stewart W. and Wilma C. Hoyt Foundation, Inc. for a Green Stormwater and Landscaping Matching Fund (GSLMF); and be it further

RESOLVED that there is no required City match, the City of Binghamton's Sustainable Development Planner shall be the grant project manager, and the anticipated date of project completion is December 2014.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:
Webb, Motsavage, Matzo, Rennia, Mihalko, Berg,
Papastrat

A RESOLUTION AUTHORIZING THE MAYOR
TO ACCEPT \$48,500 IN GRANT FUNDS FROM
THE STEWART W. AND WILMA C. HOYT
FOUNDATION, INC. FOR A GREEN
STORMWATER AND LANDSCAPING
MATCHING FUND (GSLMF)

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

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

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Employees

RESOLUTION

entitled

A RESOLUTION AMENDING THE PBA
AGREEMENT FROM 2012-2014 REGARDING
THE SALARY GRID FOR POLICE OFFICERS
HIRED AFTER JANUARY 1, 2013

WHEREAS, on November 20, 2012, by Permanent Resolution 12-91 and pursuant to New York State Civil Service Law Article 14 – Public Employees’ Fair Employment Act, City Council approved a Collective Bargaining Agreement (“CBA”) with the Police Benevolent Association (the “PBA”); and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 13-54, entitled “A Resolution Authorizing an Amendment to the Police Benevolent Association Agreement for 2012-2014” on June 5, 2013; and

WHEREAS, the Chief of Police and the PBA have requested that the CBA be amended.

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

RESOLVE that City Council hereby authorizes the Mayor to enter into an agreement with the PBA to amend the CBA to include the new salary schedule for members of the PBA hired after January 1, 2013, attached hereto.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

A RESOLUTION AMENDING THE PBA AGREEMENT FROM 2012-2014 REGARDING THE SALARY GRID FOR POLICE OFFICERS HIRED AFTER JANUARY 1, 2013

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

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Date

_____ Ayes _____ Nays _____ Abstain _____ Absent

_____ City Clerk

_____ Date Presented to Mayor

_____ Date Approved

_____ Mayor



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

Date: December 18, 2013

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AUTHORIZING THE MAYOR
TO SUBMIT AN APPLICATION UNDER THE
NEW YORK STATE HOMES AND
COMMUNITY RENEWAL 2013-2014 HOME
IMPROVEMENT GRANT**

WHEREAS, the City of Binghamton is apply to the New York State Housing and Community Renewal Affordable Housing Division for a grant in the amount of \$350,000 for owner-occupied housing rehabilitation projects; and

WHEEREAS, the total cost of this project is \$350,000, with no local match; the grant funds would be administered by the Housing Program Supervisor; and the anticipated date of project completion is December 2016.

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

RESOLVE that the Council of the City of Binghamton does hereby approve and endorse the application of the City for a grant in the amount of \$350,000 under the New York State Housing and Community Renewal Affordable Housing Division for owner-occupied housing rehabilitation projects; and be it further

RESOLVED that this Resolution approves the submission of the grant application and does not constitute approval to accept grant funds; and be it further

RESOLVED that the grant may only be accepted upon approval by City Council.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:
Webb, Motsavage, Matzo, Rennia, Mihalko, Berg,
Papastrat

AN ORDINANCE AUTHORIZING THE MAYOR
TO SUBMIT AN APPLICATION UNDER THE
NEW YORK STATE HOMES AND COMMUNITY
RENEWAL 2013-2014 HOME IMPROVEMENT
GRANT

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Employees

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING A THIRD
AMENDMENT TO THE POLICE BENEVOLENT
ASSOCIATION AGREEMENT FOR 2012-2014**

WHEREAS, on November 20, 2012, by Permanent Resolution 12-91 and pursuant to New York State Civil Service Law Article 14 – Public Employees’ Fair Employment Act, City Council approved a Collective Bargaining Agreement (“CBA”) with the Police Benevolent Association (the “PBA”); and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 13-54, entitled “A Resolution Authorizing an Amendment to the Police Benevolent Association Agreement for 2012-2014” on June 5, 2013; and

WHEREAS, the Chief of Police and the PBA have requested that the CBA be amended.

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

RESOLVE that the Council of the City of Binghamton does hereby authorize the Mayor to enter into an amended Collective Bargaining Agreement with the Police Benevolent Association; and be it further

RESOLVED that Section 8, *Compensatory Time*, is hereby amended to add a new paragraph “D”, as follows:

- D. The Chief of Police may, at his or her discretion, approve additional compensatory time for Field Training Officers for up to five (5) additional compensatory days for exemplary service. These additional compensatory days must be used by the Field Training Officer within the time designated by the Chief of Police and are subject to and are part of the limitations in sections A and B above.

And be it further

RESOLVED that Section 22, *Salary*, is hereby amended to replace Appendix B, “A New Salary Schedule for Members Hired After January 1, 2013”, as annexed hereto and made a part hereof.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

A RESOLUTION AUTHORIZING A THIRD AMENDMENT TO THE POLICE BENEVOLENT ASSOCIATION AGREEMENT FOR 2012-2014

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent



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

Date: December 18, 2013

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AMENDING THE 2013 CITY
HALL BUDGET**

WHEREAS, the Commissioner of Public Works finds it necessary and proper to amend the 2013 City Hall budget to cover cost of shared services charged by Broome County; and

WHEREAS, the proposed budget transfers were approved by the Board of Estimate and Apportionment on December 4, 2013.

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 Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2013 City Hall budget transferring \$21,500 from budget line A1620.54202 (Electricity) to budget line A1620.54663 (Shared Maintenance).

Section 2. That this Ordinance shall take effect immediately.

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

Charles Pearsall, Comptroller

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:
Webb, Motsavage, Matzo, Rennia, Mihalko, Berg,
Papastrat

AN ORDINANCE AMENDING THE 2013 CITY
HALL BUDGET

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Municipal and Public Affairs

RESOLUTION

entitled

**A RESOLUTION RENAMING STATE STREET
PARK AS PHELPS PARK**

WHEREAS, the Sherman D. Phelps was a successful businessman, elector for Abraham Lincoln, local judge, and Mayor of the City of Binghamton in 1872; and

WHEREAS, over the years through usage Phelps Park became known as State Street Park; and

WHEREAS, it is fitting that State Street Park be renamed as "Phelps Park" in honor of Sherman D. Phelps.

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

RESOLVE that State Street Park be, and it hereby is, renamed as "Phelps Park", and be it further

RESOLVED that the Council of the City of Binghamton directs that all official City maps and documents be corrected as they are reprinted or issued to refer to said park as "Phelps Park".

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

A RESOLUTION RENAMING STATE STREET
PARK AS PHELPS PARK

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Finance

RESOLUTION

entitled

AN ORDINANCE AUTHORIZING THE
ACCEPTANCE OF A \$250 GIFT FROM NYSEG
IN APPRECIATION FOR THE ASSISTANCE
THAT THE BINGHAMTON FIRE
DEPARTMENT PROVIDED NYSEG DURING
STORM AND SERVICE RELATED
EMERGENCIES

WHEREAS, the New York State Electric & Gas Company has contacted the City of Binghamton expressing a desire to donate to donate to the Fire Bureau a gift of \$250.00; and

WHEREAS, the Fire Bureau has use of such funds, and has recommended the acceptance of such gift; and

WHEREAS, the acceptance of this gift does not require the use of City funds.

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

Section 1. That the City of Binghamton is hereby authorized to accept a gift of \$250.00 from the New York State Electric & Gas Company on behalf of the Fire Bureau.

Section 2. That the Comptroller and Treasurer of the City of Binghamton are hereby authorized and directed to increase the 2013 estimated revenue line H.42705 (Gifts & Donations) by \$250.00, and to increase the 2013 expenditure line _____ by \$250.00.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A \$250 GIFT FROM NYSEG IN APPRECIATION FOR THE ASSISTANCE THAT THE BINGHAMTON FIRE DEPARTMENT PROVIDED NYSEG DURING STORM AND SERVICE RELATED EMERGENCIES

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE CREATING A NEW CAPITAL
BUDGET LINE IN THE 2013 BINGHAMTON-
JOHNSON CITY JOINT SEWAGE BOARD
BUDGET AND TRANSFERRING FUNDS
THERETO FOR PLANT OUTFALL PERIODIC
DREDGING**

WHEREAS, the City of Binghamton (the “City”) is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Plant (the “JSTP”) with the Village of Johnson City (the “Village”); and

WHEREAS, the JSTP 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 and the Board of Trustees of the Village approve the JSB’s budget and certain mid-year budget amendments; and

WHEREAS, the JSB has requested the establishment of a new capital budget line in the 2013 JSTP budget; and

WHEREAS, the Council of the City of Binghamton wishes to approve the amendment to the 2013 JSTP budget.

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

Section 1. That the Fiscal Officer of the JSTP is hereby authorized and directed to establish a new capital budget line in the 2013 JSTP budget named “Plant Outfall Periodic Dredging”.

Section 2. That the Fiscal Officer of the JSTP is hereby authorized and directed to transfer \$425,000 in unencumbered funds from budget line J8130.54800 (Plan Outfall Dredging/Maintenance) to the newly created capital line.

Section 3. That this Ordinance shall take effect immediately.

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

Charles Pearsall, Comptroller and JSB Fiscal Officer

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE CREATING A NEW CAPITAL BUDGET LINE IN THE 2013 BINGHAMTON-JOHNSON CITY JOINT SEWAGE BOARD BUDGET AND TRANSFERRING FUNDS THERETO FOR PLANT OUTFALL PERIODIC DREDGING

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Finance

ORDINANCE

entitled

AN ORDINANCE AUTHORIZING A
TRANSFER IN THE COMMUNITY
DEVELOPMENT BLOCK GRANT FY 37
BUDGET, AND AUTHORIZING AN INCREASE
OF UP TO \$10,000 IN CONTRACTUAL
EXPENSES WITH INTERFACE STUDIO

WHEREAS, the Director of Planning, Housing and Community Development finds it proper and necessary to transfer funds in the Community Development Block Grant (CDBG) FY 37 budget and to enter into a supplemental agreement with Interface Studio for the City's comprehensive plan for an amount not to exceed \$10,000; and

WHEREAS, the proposed transfer was approved by the Board of Estimate and Apportionment on

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 Treasurer of the City of Binghamton are hereby authorized and directed to amend FY 37 CDGB budget, transferring \$10,000 from budget line CD8684.51000 (Personal Services) to budget line CD8684.54000.CDY37 (Contractual).

Section 2. That the Mayor, or his designee, is hereby authorized to enter into a supplemental agreement, approved as to form and content by the Office of Corporation Counsel, with Interface Studio for the City's comprehensive plan, in an amount not to exceed \$10,000.

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

Charles Pearsall, Comptroller

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE AUTHORIZING A TRANSFER
IN THE COMMUNITY DEVELOPMENT BLOCK
GRANT FY 37 BUDGET, AND AUTHORIZING
AN INCREASE OF UP TO \$10,000 IN
CONTRACTUAL EXPENSES WITH INTERFACE
STUDIO

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE AMENDING THE 2013
SEWER DEPARTMENT BUDGET**

WHEREAS, the Water and Sewer Superintendent finds it necessary and proper to amend the 2013 Sewer Department budget to cover postage costs and current bills; and

WHEREAS, the proposed budget transfers were approved by the Board of Estimate and Apportionment on December 11, 2013.

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 Treasurer of the City of Binghamton are hereby authorized and directed to transfer \$2,500 from budget line G8120.54202 (Electricity) to budget line G8110.54652 (Postage) to cover postage costs for current bills.

Section 2. That this Ordinance shall take effect immediately.

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

Charles Pearsall, Comptroller

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE AMENDING THE 2013 SEWER DEPARTMENT BUDGET

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Planning and Community Development

ORDINANCE

entitled

AN ORDINANCE AMENDING SECTION 327-2.C OF THE CODE OF THE CITY OF BINGHAMTON, EXTENDING THE OUTDOOR CAFÉ SEASON

WHEREAS, the Council of the City of Binghamton adopted Permanent Ordinance 12-39 on May 23, 2012, entitled “An Ordinance authorizing substantial amendments to Chapter 327, Article II of the Code of the City of Binghamton, relating to Outdoor Cafes”; and

WHEREAS, the Council of the City of Binghamton wishes to extend the Outdoor Café season.

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

Section 1. That § 327-2.C of the Code of the City of Binghamton is hereby amended as follows:

§ 327-2.C. Hours and Months of Operations. [Amended 12-18-2013 by Perm Ord. 13-__]

Approved Outdoor Café Permits shall be valid from ~~April 1st through October 31st~~ March 1st through December 31st during the year in which the permit was issued; the City reserves the right to exclude any particular dates from the outdoor café season in the interest of public safety. Such permit shall authorize the permit holder to operate an Outdoor Café during (a) the permit holder’s regular business hours, or (b) between the hours of 7:00 A.M. and 10:00 P.M. Sunday through Thursday and between the hours of 7:00 A.M. and 11:00 P.M. Friday through Saturday, whichever is less. Outdoor Café operations must cease at the times indicated herein. Operation of an Outdoor Café outside of the permissible hours shall constitute a violation of this Ordinance, and shall constitute grounds for the revocation of an Outdoor Café permit, in accordance with § 327-2.L.

Section 2. That this Ordinance shall take effect January 1, 2014.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE AMENDING SECTION 327-2.C
OF THE CODE OF THE CITY OF BINGHAMTON,
EXTENDING THE OUTDOOR CAFÉ SEASON

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Planning and Community Development

ORDINANCE

entitled

AN ORDINANCE AMENDING SECTION 327-2.C OF THE CODE OF THE CITY OF BINGHAMTON, EXTENDING THE OUTDOOR CAFÉ SEASON

WHEREAS, the Council of the City of Binghamton adopted Permanent Ordinance 12-39 on May 23, 2012, entitled “An Ordinance authorizing substantial amendments to Chapter 327, Article II of the Code of the City of Binghamton, relating to Outdoor Cafes”; and

WHEREAS, the Council of the City of Binghamton wishes to extend the Outdoor Café season.

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

Section 1. That § 327-2.C of the Code of the City of Binghamton is hereby amended as follows:

§ 327-2.C. Hours and Months of Operations. [Amended 12-18-2013 by Perm Ord. 13-__]

Approved Outdoor Café Permits shall be valid from ~~April 1st through October 31st~~ March 1st through December 31st during the year in which the permit was issued; the City reserves the right to exclude any particular dates from the outdoor café season in the interest of public safety. Such permit shall authorize the permit holder to operate an Outdoor Café during (a) the permit holder’s regular business hours, or (b) between the hours of 7:00 A.M. and 10:00 P.M. Sunday through Thursday and between the hours of 7:00 A.M. and 11:00 P.M. Friday through Saturday, whichever is less. Outdoor Café operations must cease at the times indicated herein. Operation of an Outdoor Café outside of the permissible hours shall constitute a violation of this Ordinance, and shall constitute grounds for the revocation of an Outdoor Café permit, in accordance with § 327-2.L.

Section 2. That this Ordinance shall take effect January 1, 2014.

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

AN ORDINANCE AMENDING SECTION 327-2.C
OF THE CODE OF THE CITY OF BINGHAMTON,
EXTENDING THE OUTDOOR CAFÉ SEASON

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE
ACCEPTANCE OF \$35,000 IN OVERTIME
FUNDS FROM THE UNITED STATES
MARSHAL FOR WARRANT & GANG TASK
FORCE

WHEREAS, the City of Binghamton Police Department is eligible to receive \$35,000 in overtime funds from the United States Marshal for the warrant and gang task force.

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

RESOLVE that the City of Binghamton is hereby authorized to accept \$35,000 from the United States Marshal on behalf of the Binghamton Police Department for the warrant and gang task force, and be it further

RESOLVED that the Comptroller and Treasurer of the City of Binghamton are hereby authorized and directed to increase the 2013 estimated revenue line _____ by \$35,000, and to increase the 2013 expenditure line _____ by \$35,000.

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

Charles Pearsall, Comptroller

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$35,000 IN OVERTIME FUNDS FROM THE UNITED STATES MARSHAL FOR WARRANT & GANG TASK FORCE

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

_____ Date

_____ City Clerk

_____ Date Presented to Mayor

_____ Date Approved

_____ Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent



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

Date: December 18, 2013

Sponsored by Council Members:

Introduced by Committee: Finance

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE
ACCEPTANCE OF \$15,000 IN OVERTIME
FUNDS FROM THE FEDERAL BUREAU OF
INVESTIGATION FOR JOINT NARCOTICS
INVESTIGATIONS

WHEREAS, the City of Binghamton Police Department is eligible to receive \$15,000 in overtime funds from the Federal Bureau of Investigation for joint narcotics investigations.

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

RESOLVE that the City of Binghamton is hereby authorized to accept \$15,000 from the Federal Bureau of Investigation on behalf of the Binghamton Police Department for joint narcotics investigations; and be it further

RESOLVED that the Comptroller and Treasurer of the City of Binghamton are hereby authorized and directed to increase the 2013 estimated revenue line _____ by \$15,000, and to increase the 2013 expenditure line _____ by \$15,000.

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

Charles Pearsall, Comptroller

Introductory No. _____

Permanent No. _____

Sponsored by City Council Members:

A RESOLUTION AUTHORIZING THE
ACCEPTANCE OF \$15,000 IN OVERTIME FUNDS
FROM THE FEDERAL BUREAU OF
INVESTIGATIONS FOR JOINT NARCOTICS
INVESTIGATIONS

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

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage				
Mihalko				
Rennia				
Webb				
Papastrat				
Matzo				
Berg				
Total				

Code of the City of Binghamton

Adopted Defeated

_____ Ayes _____ Nays _____ Abstain _____ Absent