

Legal Counsel Approval 
RL13-179

Introductory No. 013-84

Permanent No. **VETOED**

****VETO OVERTURNED****
Permanent No. 13-82



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

Date: October 30, 2013

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

Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE ADOPTING THE TAX
BUDGET FOR THE YEAR 2014**

WHEREAS, the Mayor did, on September 16, 2013, and the same was confirmed by the Board of Estimate and Apportionment on September 16, 2013, 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 2014 fiscal year commencing January 1, 2014, 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 16, 2013, 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 \$99,738,741.52 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 \$51,238,096.80 which leaves the sum of \$48,600,644.72 constituting the tax budget of fiscal year 2014, of which the amounts of \$12,265,721.00 to be raised by tax other

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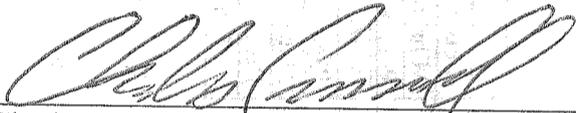
than on real estates, leaving a balance of \$36,334,923.72 to be raised by a tax upon real estate, an itemized statement which is attached hereto and made a part hereof.

Section 3. That the sum of \$36,334,923.72 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.

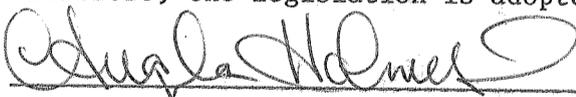
Section 4. A sum of \$819,855.21 and \$797,020.60 representing unpaid water and sewer rents respectively billed for the period ending August 2013 and remaining unpaid as of September 1, 2013 and subject to receipt of further payments, are hereby levied and become a lien upon real property liable for said unpaid rents.

Section 5. That this Ordinance shall take effect immediately.

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


Charles Pearsall, Comptroller

I HEREBY CERTIFY the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a Special Business Meeting held on October 30, 2013. The Mayor vetoed two line items in the 2014 budget - the elimination of the position of Tree Trimmer/Arborist at a salary of \$44,928, plus associated benefits; and the elimination of a Front End Loader at a cost of \$125,000 from the Public Works Capital Improvements Plan budget. This veto message was delivered to the City Clerk on November 6, 2013. The Council of the City of Binghamton reconsidered this legislation at a Business Meeting held on November 20, 2013. City Council overturned the mayoral veto. Therefore, the legislation is adopted without the Mayor's amendments.


Angela Holmes, City Clerk

A Public Hearing on the legislation was held at the Special Business Meeting on October 25, 2013.

Veto message received from Mayor Matthew T. Ryan on November 6, 2013. Ryan vetoed Council's elimination of two items from the proposed 2014 budget: (1) the elimination of the position of Tree Trimmer/Arborist at a salary of \$44,928, plus assoc. benefits; and (2) the elimination of a Front End Loader at a cost of \$125,000 from the Public Works Capital Improvement Plan budget.

Motion to override the mayoral veto of Council's elimination of the Tree Trimmer/Arborist position in budget line A7110.51000 (Personal Services) with a salary of \$44,928, plus any related benefits.
 Moved by Motsavage, seconded by Matzo.
 Motion carried. (Vote 5-2)
 Ayes: Motsavage, Mihalko, Papastrat, Matzo, Berg
 Nays: Rennia, Webb

Motion to override the mayoral veto of Council's elimination of the Front End Loader in the Works Capital Improvements Plan, budget line A1990.55000 at a cost of \$125,000.
 Moved by Motsavage, seconded by Mihalko.
 Motion carried. (Vote 7-0)
 Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg
 Nays: None

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 Permanent No. **VETOED**
 VETO OVERTURNED Permanent No. 13-82
 Sponsored by City Council Members:
 Rennia, Webb, Motsavage

AN ORDINANCE ADOPTING THE TAX BUDGET FOR THE YEAR 2014

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

OCTOBER 30, 2013
 Date

[Signature]
 City Clerk

OCTOBER 31, 2013
 Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent



MEMORANDUM

Office of the Mayor

Mayor, Matthew T. Ryan

Executive Assistant to the Mayor, Kyle R. Seeley

Secretary to the Mayor, Rebecca Browne

Administrative Assistant to the Mayor, Mocca L. Shabaz

TO: City Council

CC: Angela Holmes, City Clerk
Bill Barber, Director of Parks
Luke Day, Public Works Commissioner
Charlie Pearsall, Comptroller

FROM: Matthew T. Ryan, Mayor

RE: Veto – Ordinance 013-84 (An Ordinance Adopting the Tax Budget for the Year 2014)

DATE: November 6, 2013

I would like to thank you for your commitment to the 2014 budget process, and for providing our residents with a responsible and sustainable budget. We have done a remarkable job this year making the necessary investments in our future, while providing the lowest tax rate possible. However, I hope that you will seriously consider sustaining my vetoes of two items that are crucial in continuing to move our city forward.

First, I'm asking Council to restore funding for the Tree Trimmer/Arborist position:

- 1. Line A7110.51000, Tree Trimmer/Arborist, \$44,928.00, plus any related benefits is restored to the budget**

In 2009, the City of Binghamton received a New York State Department of Environmental Conservation Urban and Community Forestry Grant to complete an urban forestry management plan. The Urban Forest Management Plan serves as a road map to improve the City's urban forest management efforts with the goal of enhancing the quality of living for the city residents.

This plan recommended the City hire a full-time staffed arborist in the Parks Department. And because we have made responsible decisions with past City budgets, we have the funds available to invest in this position. Upgrading the current Tree Trimmer position to a Tree Trimmer/Arborist would only cost \$5,574, and will we see the benefits of this investment for years to come.

We currently have approximately 19,000 street trees throughout the City, and we do not have a single designated person who is qualified to cultivate, manage, and study our urban forest.

OFFICE OF THE ATTORNEY GENERAL
STATE OF TEXAS



TO THE HONORABLE THE COMMISSIONERS OF THE GENERAL LAND OFFICE
AT DALLAS, TEXAS

YOUR OFFICE IS ADVISED THAT THE FOLLOWING
LANDS ARE SUBJECT TO A DEED OF TRUST
IN FAVOR OF THE STATE OF TEXAS
AS SET FORTH IN THE ENCLOSED COPY
OF THE DEED OF TRUST.

THE DEED OF TRUST IS FILED FOR RECORD IN THE
PUBLIC RECORDS OF THE COUNTY OF [COUNTY NAME], TEXAS,
BOOK [BOOK NUMBER], PAGE [PAGE NUMBER].

IT IS THE POLICY OF THE STATE OF TEXAS TO
PROTECT THE INTERESTS OF THE PUBLIC IN THE
LANDS BELONGING TO IT. TO THIS END, THE
STATE OF TEXAS HAS ENACTED LAWS WHICH
REQUIRE THAT ALL DEEDS OF TRUST
AFFECTING PUBLIC LANDS BE FILED FOR
RECORD IN THE PUBLIC RECORDS OF THE
COUNTY WHERE THE LANDS ARE LOCATED.

YOUR OFFICE IS REQUESTED TO ADVISE THE
COMMISSIONERS OF THE GENERAL LAND OFFICE
OF THE EXISTENCE OF THIS DEED OF TRUST
AND TO TAKE THE NECESSARY STEPS TO
PROTECT THE INTERESTS OF THE STATE.

VERY TRULY YOURS,
[Signature]

BY: [Signature]
ATTORNEY GENERAL

ENCLOSED COPY OF DEED OF TRUST

We must continue the progress we have made over the last eight years as a Tree City USA. A full-time City arborist will assure we continue our commitment to improving our environment and the quality of life of our residents, all while increase the property values of our residents.

Second, I'm asking Council to restore funding to the Front End Loader in the Public Works Capital Improvements Plan:

1. Line A1990.55000, Front End Loader, \$125,000

City Council has approved a snow blower (\$125,000) in the 2014 Public Works Capital Improvements Plan. While we thank you for the approval, the snow blower requires a front end loader specified with a required special apparatus.

The City currently owns two existing front end loaders. However, one was bought back in 2000 and would cost over \$15,000 for additional equipment, it's not reasonable or financially practical to put that much into a 14 year-old machine, and the other has a scale mechanism used to track salt and is therefore not practical for snow blowing.

The front end loader will be used to perform snow blowing operations in the winter and road improvement work in the summer, and will replace the model bought in 2000.

Along with these two vetoes, I also ask Council to consider setting aside \$10,000-\$15,000 in contingency for a possible salary increase for the Chief Information Officer. As discussed during the budget hearings, in a case where we cannot find a qualified candidate at \$60,000, money be used in contingency to raise the salary. I appreciate the unanimous, bi-partisan support received for the CIO and the support received for the reforms made by the IM Project Team. We hope the City continues to invest in our information management and technology infrastructure, so we can truly become a 21st Century City Hall.

Thank you for your consideration on these matters, and for all your work to improve our great city.

Sincerely,

A handwritten signature in black ink that reads "Matthew T. Ryan". The signature is written in a cursive, flowing style.

Matthew T. Ryan, Mayor

1870
The first of the year was a very dry one, and the crops were much injured. The weather was very hot, and the ground was very hard. The crops were much injured, and the people were very poor.

1871
The second of the year was a very wet one, and the crops were much injured. The weather was very cold, and the ground was very hard.

1872
The third of the year was a very dry one, and the crops were much injured. The weather was very hot, and the ground was very hard. The crops were much injured, and the people were very poor.

1873
The fourth of the year was a very wet one, and the crops were much injured. The weather was very cold, and the ground was very hard. The crops were much injured, and the people were very poor.

1874
The fifth of the year was a very dry one, and the crops were much injured. The weather was very hot, and the ground was very hard. The crops were much injured, and the people were very poor.

1875
The sixth of the year was a very wet one, and the crops were much injured. The weather was very cold, and the ground was very hard. The crops were much injured, and the people were very poor.

1876
The seventh of the year was a very dry one, and the crops were much injured. The weather was very hot, and the ground was very hard. The crops were much injured, and the people were very poor.

1877
The eighth of the year was a very wet one, and the crops were much injured. The weather was very cold, and the ground was very hard. The crops were much injured, and the people were very poor.