



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

Date: January 20, 2016

Sponsored by Council Members: Mihalko, Matzo, Papastrat, Scaringi, Cronce, Taylor, Berg

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE MODIFYING THE 2015  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE TREATMENT FACILITIES BUDGET  
TO ACCOUNT FOR RECOVERY  
REIMBURSEMENTS RECEIVED WHICH ARE  
TO BE PAID-OVER TO THE OWNERS

WHEREAS, the City of Binghamton (the "City") is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the "JSTF") with the Village of Johnson City (the "Village"); and

WHEREAS, the Council of the City and the Board of Trustees of the Village approve the annual budget of the Binghamton-Johnson City Joint Sewage Board ("JSB"); and

WHEREAS, Inter-Municipal Agreement sets forth the procedure of the JSB to request approval of budget transfers and modifications during the year or within 30 days thereafter so long as any transfers do not increase the JSTF's total budgeted expenses for the year; and

WHEREAS, the JSB has received litigation recoveries and reimbursements for flood recovery expenses incurred by the City and the Village which require corresponding reimbursement to the City and the Village; and

WHEREAS, the JSTF's operating budget does not have a dedicated budget line for revenue received in compensation for loss when such revenue is neither insurance proceeds nor flood damage reimbursements; and

WHEREAS, the JSTF's operating budget does not have a dedicated budget line from which to pay-out reimbursements of such revenues to the City and the Village; and

WHEREAS, resolution of four FEMA Project Worksheets compensating for June 2006 flood damage require that \$140,884.34 received by the JSB in a prior year be reimbursed to the City and the Village in their respective shares; and

WHEREAS, one of the litigation recoveries is subject to payment of a \$15,000.00 public adjuster's fee to the JSTF's public adjuster; and

WHEREAS, in consultation with the JSB's Fiscal Officer (City of Binghamton Comptroller), the JSB has proposed revenue neutral transfers and modifications to the JSTF's 2015 operating budgets to account for the receipt by the JSB and reimbursement to the City and the Village of the litigation recoveries and flood recovery reimbursements received.

THE COUNCIL OF THE CITY OF BINGHAMTON  
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NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That upon approval of a majority of the combined voting strength of the Council and the Board of Trustees of the Village, the JSB Fiscal Officer is authorized and directed to create in the JSTF 2015 revenue budget a new budget line: J.42690 (Other Compensation For Loss).

Section 2. That upon approval of a majority of the combined voting strength of the Council and the Board of Trustees of the Village, the JSB Fiscal Officer is authorized and directed to create in the JSTF 2015 appropriations budget a new budget line: J8130.54899 (Reimburse Owner Recovery Expenses).

Section 3. That the Council approves the following modifications to the JSTF 2015 budget:

a. That estimated revenue budget line J.42680.J0BAF (Insurance Recovery – BAF) be increased by \$500,000.00;

b. That estimated revenue budget line J.43960 (State Aid, Emergency Disaster Assistance) be increased by \$351,612.82;

c. That estimated revenue budget line J.44960 (Federal Aid, Emergency Disaster Assistance) be increased by \$1,054,838.47;

d. That appropriations budget line be increased in the amount of \$15,000.00 on budget line J8130.54410.J0BAF (Professional Services – BAF Remediation); and

e. That appropriations in the 2015 Joint Sewage Board Appropriations budget be increased in the aggregate amount of \$1,891,451.29, to be added to the newly created appropriations line J8130.54899 (Reimburse Owner Recovery Expenses), and that upon approval of these budget modifications by a majority of the Council and a majority of the Board of Trustees of the Village, the Joint Sewage Board Fiscal Officer is authorized and directed to make and journal such budget modifications.

Section 4. That the Council approves the following budget modifications to the JSTF 2015 budget:

a. That \$140,884.34 be transferred from Flood Capital Fund budget line JF8130.559100 (Flood Capital Fund – Recovery Projects) to the general fund through budget line JF9901.59000 (Interfund Transfers); and

b. That both estimated revenue budget line J45031 (Interfund Transfer) and the newly-created appropriations budget line J8130.54899 (Reimburse Owner Recovery Expenses) be increased by \$140,884.34, and that upon approval of these budget modifications by a majority of the Council and a majority of the Board of Trustees of the Village, the JSB Fiscal Officer is authorized and directed to make and journal such budget modification.

Section 5. That this ordinance shall take effect immediately, except as otherwise provided above.

Introductory No. 016-09

Permanent No. 016-10

Sponsored by City Council Members:  
Mihaliko, Matzo, Papastrat, Scaringi, Cronic, Taylor, Berg

AN ORDINANCE MODIFYING THE 2015  
BINGHAMTON-JOHNSON CITY JOINT SEWAGE  
TREATMENT FACILITIES BUDGET TO  
ACCOUNT FOR RECOVERY REIMBURSEMENTS  
RECEIVED WHICH ARE TO BE PAID-  
OVER TO THE OWNERS

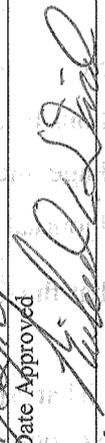
The within Resolution was adopted by the Council of  
the City of Binghamton.

1/20/16  
Date

  
City Clerk

1/21/16  
Date Presented to Mayor

1/21/16  
Date Approved

  
Mayor

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilman Mihaliko	✓			
Councilwoman Cronic	✓			
Councilman Taylor	✓			
Councilman Matzo	✓			
Councilman Berg	✓			
Councilman Papastrat	✓			
<b>Total</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>

Code of the City of Binghamton

Adopted  Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true  
copy of the legislation adopted by the  
Council of the City of Binghamton at a  
meeting held on 1/20/16. Approved  
by the Mayor on 1/22/16.

  
(Deputy)