



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: November 4, 2015

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

Introduced by Committee: Public Works/Parks and Recreation

RESOLUTION

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH NYS  
DOT FOR THE CITY TO MAINTAIN, REPAIR  
AND ENERGIZE LIGHTING ON NYS 17/I-81  
INSTALLED AS PART OF THE NYS 17/I-81  
INTERCHANGE RECONSTRUCTION PROJECT

WHEREAS, the New York State Department of Transportation ("NYSDOT") proposes to reconstruct a State Highway identified in Project PIN 9500.80 - NYS "17/I-81(SH #'s 63-24, 64-4, 64-5, 68-8) Interchange Reconstruction-Phase 2 (Reconstruction of NYS 17 and I-81 in the City of Binghamton including the Replacement of 4 Bridges and Construction of 2 Bridges and a New Partial Cloverleaf Interchange)" by removing & replacing NYSDOT owned stick street lights and High Mast street lights as shown in the project plan sheets with the project located in County of Broome and within the geographical jurisdiction of the Binghamton; and

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

WHEREAS, the State of New York has agreed to provide as a part of the project the following items in connection with a highway lighting system:

1. Underground duct system, including conduits, pull boxes, hand holes and drainage pockets.
2. Foundation *for light standards*.
3. Light Standards and appurtenances.
4. Luminaires, wiring, switches and ballasts and all other components necessary to complete the lighting system.
5. Design the project stick lighting such that lane closures are not required for replacement and maintenance activities on expressways & interstates, *i.e.*, employ shoulder closures.
6. Design the project lighting such that an electric metering device is provided at each power circuit.
7. Design the project lighting such that the CITY has the ability to shut down the electricity to the lighting system without the need of calling the electrical utility.
8. Design the project lighting such that the lights are wired in parallel (not in

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series), *i.e.*, when one light goes out, the remaining lights on the circuit remain operational.

9. Turn over a quality lighting system to the CITY at the completion of PIN 9500.80 with NYSDOT Region 9 also agreeing to perform maintenance of said lighting system as a result of poor workmanship or functional failure of a component, excluding maintenance resulting from conditions beyond the control of New York Department of Transportation, *e.g.*, accidents, for a period extending 18 months from the completion date.

WHEREAS, the NYSDOT and the City of Binghamton agree to partner for replacement and maintenance activities on expressway & interstate, with the NYSDOT employing its expertise in traffic control through setting up shoulder closure and the City of Binghamton employing its expertise in police protection by providing a presence during traffic control setup and breakdown; and

WHEREAS, the NYSDOT recognizes that a quality lighting system will be turned over to the City of Binghamton at completion of PIN 9500.80, the NYSDOT Region 9 also agrees to perform maintenance of said lighting system as a result of poor workmanship or functional failure of a component, excluding maintenance resulting from conditions beyond the control of NYSDOT, *e.g.*, accidents, for a period extending 18 months from the completion date; and

WHEREAS, the City of Binghamton will provide the NYSDOT with approximately one week prior notification of impending need for replacement and maintenance, such that a mutually agreed upon schedule is worked out to the benefit of both parties, and provided that the City of Binghamton agrees to maintain, repair and energize such highway lighting system for a period of 20 years or until such time as the Commissioner of Transportation, in his discretion, determines that such lighting and/or the maintenance of such lighting system is no longer necessary for such State Highway.

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

RESOLVE that the City of Binghamton approves of the above subject project; and be it further

RESOLVED that the City of Binghamton shall maintain, repair and energize such highway lighting system; and be it further

RESOLVED that the City of Binghamton hereby authorizes the Mayor of the City of Binghamton to enter into and execute an Agreement with the State of New York and through the Commissioner of Transportation to commit the City of Binghamton to maintain, at its own expense, the highway lighting system on the above subject project, such agreement to provide that the maintenance shall include the repair and replacement of equipment and the furnishing of electric current for the lighting system; and be it further

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

Introductory No. R15-112

Permanent No. R15-111

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

A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO AN AGREEMENT WITH NYS DOT FOR  
THE CITY TO MAINTAIN, REPAIR AND ENERGIZE  
LIGHTING ON NYS 17/I-81 INSTALLED AS PART OF  
THE NYS 17/I-81 INTERCHANGE RECONSTRUCTION  
PROJECT

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

11/4/15  
Date

H. Murphy (Deputy)  
City Clerk

11/5/15  
Date Presented to Mayor

11/5/15  
Date Approved  
Richard D. Paul  
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Renna	✓			
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

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 11/4/15. Approved by the  
Mayor on 11/5/15.

H. Murphy (Deputy)  
Mayor