



Legislative Branch

Office of the City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

Minutes
Regular City Council Meeting
Held at Council Chambers, 38 Hawley Street, Binghamton, N.Y.
Monday February 2, 2009

PLEDGE OF ALLEGIANCE

Council President Gerchman called the meeting to order at 6:30pm and led the Pledge of Allegiance.

ROLL CALL

Present: Weslar, Gerchman, Rennia, Webb, Massey, Kramer, Collins

Absent: None

Also in attendance: Corporation Counsel Kenneth Frank, Interim City Clerk Sheila Keatings, Interim Deputy City Clerk Angela Fagerstrom

REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Approval of Minutes from the Regular Business Meeting held on Tuesday January 20, 2009

Moved by Massey, seconded by Kramer

Voice vote, none opposed

RECOGNITIONS AND ACKNOWLEDGMENTS

A Proclamation honoring James L. Vescio

PUBLIC HEARING(S)

APPROVAL OF MAYORAL APPOINTMENTS

SET PUBLIC HEARING(S)

Set Public Hearing for Tuesday February 17, 2009 at 6:30pm:

Introductory Ordinance 09-002, Considered in Municipal and Public Affairs, Chair: Massey

An Ordinance amending the Binghamton Human Rights Law

PUBLIC COMMENT/COMMUNICATION

Communications:

An email from Tom Klensk regarding zoning laws, received on January 30, 2009

An email from Micah White regarding Bates Troy noise violations, received on February 1, 2009, was read into the record.

A memorandum from the Greater Binghamton Chamber of Commerce regarding Introductory Resolution 09-007, received on February 2, 2009, was read into the record.

Public Comment:

Amy Shapiro, Marilyn Desmond, Jack Sheehan

RECONSIDER LEGISLATION

SECOND READING LEGISLATION

FIRST READING LEGISLATION

Motion to suspend the rules, in order to consider Introductory Resolution 09-008, *A Resolution supporting the reduction of point of purchase tobacco advertising* and Introductory Resolution 09-009, *A Resolution in support of Tri Cities Opera Company's 60th Season Celebration* first on the Business Meeting agenda, in order to accommodate guests from the associated organizations.

Moved by Weslar, seconded by Kramer.

Voice vote, none opposed. Motion carried.



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Permanent Resolution 09-004, Considered in Municipal and Public Affairs, Chair: Massey

A Resolution supporting the reduction of point of purchase tobacco advertising

Councilwoman Webb requested that her name be added to the sponsor list.

Motion to approve. Moved by Massey, seconded by Webb.

Legislation adopted (Vote 7-0)

Permanent Resolution 09-005, Considered in Municipal and Public Affairs, Chair: Massey

A Resolution in support of Tri Cities Opera Company's 60th Season Celebration

Councilwoman Webb requested that her name be added to the sponsor list.

Motion to approve. Moved by Weslar, seconded by Massey.

Legislation adopted (Vote 7-0)

Motion to approve the following:

Moved by Weslar, seconded by Collins

Motion carried (Vote 7-0)

State Environment Quality Review
Determination of Type II Action

Project Number: None

Date: February 2, 2009

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environment Quality Review Act) of the Environmental Conservation Law.

The Council of the City of Binghamton has determined that the proposed action described below is a Type II action and no further environmental review is necessary.

Name of Action: An Ordinance authorizing the issuance of \$4,975,000.00 in serial bonds to finance the 2009 Budget Capital Projects. The projects are for replacement, rehabilitation or reconstruction of existing structures or facilities, repaving of existing highways not involving the addition of new travel lanes, and street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities, and various equipment and software needs.

Permanent Ordinance 09-001, Considered in Finance, Chair: Rennia

An Ordinance authorizing the issuance of \$4,975,000.00 in serial bonds to finance the 2009 budget Capital Projects

Councilwoman Webb requested that her name be added to the sponsor list.

Motion to approve. Moved by Rennia, seconded by Webb.

Legislation adopted (Vote 7-0)

Introductory Resolution 09-003, Considered in Finance, Chair: Rennia

A Resolution to approve the Binghamton Local Development Corporation's Special Projects Loan to 142 Court Street, LLC, in an amount not to exceed one hundred thousand dollars (\$100,000.00) for the renovation of the upper stories at 142 Court Street for student housing

1. Motion to approve. Moved by Kramer, seconded by Webb.
Councilwoman Rennia and Councilman Massey abstained from acting on this piece of legislation.
2. Motion to hold. Moved by Weslar, seconded by Collins.
Voice vote, none opposed.

Motion carried, legislation held until the Business Meeting on Tuesday February 17, 2009.



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Permanent Resolution 09-006, Considered in Finance, Chair: Rennia

A Resolution authorizing the Mayor to correct the 2009 Tax Levy and Tax Roll

Councilwoman Webb requested that her name be added to the sponsor list.

Motion to approve. Moved by Rennia, seconded by Webb.

Legislation adopted (Vote 7-0)

Permanent Resolution 09-007, Considered in Finance, Chair: Rennia

A Resolution waiving late fees for the first water and sewer bills of the year

Motion to approve. Moved by Rennia, seconded by Kramer

Legislation adopted (Vote 7-0)

Introductory Resolution 09-006, Considered in Planning and Community Development, Chair: Weslar

A Resolution authorizing the Mayor to submit an application to the New York State Housing Finance Agency for up to \$586,000.00 for housing activities under the US Department of Housing and Urban Development Neighborhood Stabilization Program

Motion to approve. Moved by Weslar, seconded by Webb.

Legislation adopted (Vote 7-0)

Introductory Resolution 09-007, Considered in Municipal and Public Affairs, Chair: Massey

A Resolution in support of progressive state pension reform in order to reduce property taxes statewide, improve investment climate, and reduce fiscal stress of upstate municipalities

Motion to approve. Moved by Massey, seconded by Rennia.

Legislation adopted (Vote 7-0)

Introductory Resolution 09-010, Considered in Public Works, Chair: Collins

A Resolution authorizing the Mayor to enter into a professional services agreement with Timothy Haahs Associates, Inc. for condition appraisal services for the Collier Street Parking Garage Facility repairs

Motion to approve. Moved by Collins, seconded by Webb.

Legislation adopted (Vote 7-0)

COMMUNICATIONS FROM COUNCIL MEMBERS

Councilwoman Rennia, Councilwoman Webb, Councilman Massey, Councilman Kramer, Councilman Collins, Councilman Weslar, Councilman Gerchman

ADJOURNMENT

Moved by Weslar, seconded by Kramer

Voice vote, none opposed.

Adjourned at 8:30pm