



# VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET • JOHNSON CITY, NY 13790  
www.villageofjc.com

## Village Board

Gregory Deemie, Mayor

Richard Balles, Trustee      Deborah Fuller, Trustee  
Martin Meaney, Trustee      John Walker, Trustee

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## AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, June 21, 2016 @ 7:30pm • Village Hall, 243 Main St., 2<sup>nd</sup> fl, Johnson City, NY

*We kindly request that you turn off or mute all cell phones and pagers.*

*We kindly request that if anyone wishes to read from a prepared statement, please provide the Clerk with a copy so that the minutes can be as accurate as possible.*

### ORDER OF BUSINESS:

1. ***PLEDGE OF ALLEGIANCE***

2. ***FIRE EXITS***

3. **MAYOR'S ANNOUNCEMENTS**

- [3.1] The next regular Village Board Meeting will be Tuesday, July 19, 2016 at 7:30pm with a work session at 5:30pm
- [3.2] The Thompson Agency, Inc., 298 Main St., is celebrating their 100<sup>th</sup> Anniversary on July 6, 2016. The company was founded on July 1, 1916.
- [3.3] JC Partners Cruze-Inz will be held from 5-8pm on Thurs., June 23<sup>rd</sup> in the Village Hall Parking lot
- [3.4] First Ward Action Council, Inc. HOME LPA award – rehabilitation grants

4. **APPROVAL OF BOARD MINUTES**

Minutes of the May 17, 2016 regular meeting and work session and the May 24, 2016 special meeting.

5. **BIDS**

Bids were opened and read at 10:00am on Thursday, June 16, 2016 at Village Hall for the Reynolds Road/Anna Maria Drive Drainage Improvements Project, a Community Development Block Grant Disaster Recovery Project, funded through the Governor's Office of Storm Recovery as follows:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>
ZMK Construction	\$866,250.00
Chicago Construction	\$878,000.00
Bothar Construction	\$884,931.00
Pro Con Construction	\$956,000.00
Vacri Construction Corp.	\$976,000.00
G. DeVincentis & Son	\$1,289,000.00



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Bids were opened and read at 10:00am on Friday, June 17, 2016 at Village Hall for the purchase of hydrants and gate valves as follows:

### GATE VALVES

<u>Bidder</u>	<u>Quantity</u>	<u>Unit Bid Price</u>	<u>Bid Amount</u>
HD Supply Waterworks Ltd.	10	\$528.00	\$5,280.00
Ferguson	10	\$535.00	\$5,350.00
Vellano Bros. Inc.	10	\$614.77	\$6,147.70

### HYDRANTS

<u>Bidder</u>	<u>Quantity</u>	<u>Unit Bid Price</u>	<u>Bid Amount</u>
HD Supply Waterworks Ltd.	10	\$2,160.00	\$21,600.00
Ferguson	10	\$2,235.00	\$22,350.00
Vellano Bros. Inc.	10	\$2,541.94	\$25,419.40

\* Vellano Bros. Inc. erroneously placed the gate valve price into the hydrant price and the hydrant price into the gate valve price. See attached correspondence.

#### 6. PUBLIC HEARINGS

[6.1] Rezone 144 Grand Avenue (TM #143.73-4-41) located in the Village from Urban Multi-Family (UMF) to General Commercial (GC) pursuant to Section 300 Article 52 of the Village Code.

#### 7. PETITIONS RECEIVED - None

#### 8. PRIVILEGE OF THE FLOOR – VISITORS

#### 9. COMMUNICATIONS

- [9.1] Notice of the June 23, 2016 regular meeting of the Association of Towns & Villages
- [9.2] Notice of the June 14, 2016 meeting of the Binghamton-JC Joint Sewage Board
- [9.3] Announcement from the First Ward Action regarding rehabilitation grants
- [9.4] Letter from Mr. Dennis Mitchell regarding an incident at his property on Laurel Street with Code Enforcement and Village employees
- [9.5] Copy of a letter from Mr. David Kellam to Code Enforcement regarding an issue with Code Enforcement employees
- [9.6] Letter from the NYS Office for People with Development Disabilities regarding the closing of the Broome Developmental Center and where to access mental health services
- [9.7] Letter from Attorney Paul Pool regarding a dangerous condition in the alley behind his building on Main Street
- [9.8] Letter from the Village of Port Dickinson requesting assistance from the Village with a drainage issue
- [9.9] Copy of a letter from Mr. Alex Matich to the landlord of the property next to him regarding an issue with the tenants



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### **10. COMMITTEE/BOARD REPORTS**

- [10.1] Minutes of the June 1, 2016 regular meeting of the Town of Union Board
- [10.2] Minutes of the May 18, 2016 regular meeting of the Town of Union Board
- [10.3] Minutes of the April 26, 2016 regular meeting of the Village of Endicott Board
- [10.4] Minutes of the May 19, 2016 meeting of the Broome Co. Assoc. of Municipal Clerks
- [10.5] Minutes of the March 22, 2016 regular meeting of the JC Planning Board
- [10.6] Minutes of the May 9, 2016 regular meeting of the JC Zoning Board of Appeals
- [10.7] Minutes of the March 29, 2016 special meeting of the Binghamton-JC JSB

### **11. DEPARTMENT REPORTS**

- [11.1] Code Enforcement Monthly Report - May 2016
- [11.2] Code Enforcement Monthly Report - April 2016
- [11.3] Police Department - 2015 Yearly Report
- [11.4] Police Department - Monthly Report – March 2016
- [11.5] Police Department - Monthly Report – February 2016

### **12. PAYROLL AND BILLS PRESENTED**

Abstract #1 of the 2016 - 2017 Fiscal bills

GENERAL FUND	\$1,066,712.23
WATER FUND	\$86,258.42
SEWER FUND	\$125,081.63
REFUSE FUND	\$89,636.75
JSTP	\$785,231.36
VARPUR	\$785,231.36

### **13. UNFINISHED BUSINESS**

#### **Resolution #2016 – 99**

Amend the Binghamton–Johnson City Joint Sewage Treatment Plant Facilities Intermunicipal Agreement X (Master IMA) to share expenses for project management service, project analyst, and project assistant services.

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 City and the Village adopted a "Master IMA" (Intermunicipal Agreement X) organizing the original agreement and all amendments into a single document and exhibits; and

WHEREAS, by Permanent Ordinance 15-34, the City and Village amended the Master IMA, Exhibit IMA No. VIII, paragraph 6 as to include the costs of a Project Manager to be included in the Phase III Remediation Project; and

WHEREAS, the City and Village wish to further amend Master IMA, Exhibit IMA No. VIII, paragraph 6 to include the costs of Project Management Services, Project Analyst, and Project Assistant Services to be included in the Phase III Remediation Project costs.

NOW, THEREFORE, the Board of Trustees of the Village of Johnson City, duly convened does hereby ordain as follows:



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- Section 1. Pursuant to the Master IMA, Section 31. Modifications, the Council of the City of Binghamton hereby agrees to amend the Master IMA, Exhibit IMA No. VIII, paragraph 6, as follows: ADD: Notwithstanding the forgoing, the City may retain services for Project Management Services, Project Analyst, and Project Assistant Services, as employees of the City of Binghamton for the Phase III Remediation Project. The cost of such employee services may be paid by the City in the first instance, but will be included in the project budget for the Phase III Remediation Project, budget lines HX8150.500100.JIIF (Flood) and HX8150.500100.JIIN (Non- Flood) or charged back to the Joint Sewage Treatment Facility at the year-end reconciliation billing. The Owners agree to amend the authorizing Bond Ordinances for this purpose, if necessary.
- Section 2. That this Ordinance shall become effective after approval by a three-fourths vote of the voting strength of the Common Council of the City of Binghamton and the Board of Trustees of the Village of Johnson City.

### **14. NEW BUSINESS**

#### **FINANCE & RULES (All Board Members)**

##### **Resolution #2016 - 100**

Approve the rezoning of 144 Grand Avenue (TM #143.73-4-41) located in the Village from Urban Multi-Family (UMF) to General Commercial (GC) pursuant to Section 300 Article 52 of the Village Code.

##### **Resolution #2016 - 101**

Authorize the forgiveness of a \$60.00 fine for excess refuse collected at 325 Riverside Drive.

##### **Resolution #2016 - 102**

Authorize the forgiveness of a \$45.00 fine for excessive brush collected at 203 Harrison Street which was out too early and blocking the sidewalk causing a safety issue.

##### **Resolution #2016 - 103**

WHEREAS, Resolution by the Board of Trustees of the Village of Johnson City approving and endorsing Goodwill Theatre Inc. in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program.

WHEREAS, the applicant proposes funding for building renovations to the 1920 Goodwill Theatre Building at 36 Willow Street as a cultural anchor.

WHEREAS, the purpose of funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project is located.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Johnson City approves and endorses the 2016 New York Main Street application for assistance prepared and to be submitted by Goodwill Theatre, Inc.



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### **Resolution #2016 - 104**

Endorse the Goodwill Theatre Inc., 2016 Consolidated Funding Application (CFA) Round 6 for funds from the New York State Office Environmental Protection Fund, under the Preservation or Heritage area programs, in an amount not to exceed \$500,000 of grant funding and enter into and execute a project agreement with the State for such financial assistance to this Goodwill Theatre, Inc. for Economic Growth Investment entitled Cultural Anchor Hub for JC Health & Cultural District for rehabilitation and adaptive re-use of the 1920 Goodwill Theatre building located at 67 Broad Street and, if appropriate, a conservation easement/preservation/public access covenant to the deed of the assisted property.

### **Resolution #2016 - 105**

Endorse the Goodwill Theatre Inc., application for funds from the 2016 Consolidated Funding Application (CFA) Round 6 for a grant in an amount not to exceed \$50,000 in grant funds under the New York State Council of the Arts (NYSCA) to support a 2017 staff person in the area of marketing, social media, educational & community outreach and enter into and execute a project agreement with the State for such financial assistance to this Goodwill Theatre, Inc. with this project helping to expand the cultural offerings of the Goodwill Theatre Inc. organization which will be a catalyst for development in the surrounding area.

### **Resolution #2016 - 106**

Endorse the Goodwill Theatre Inc., application for funds from the Empire State Development and STREDC for CFA Round 6 as a request for Priority Project funding in and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Goodwill Theatre Inc. for support toward completion of the Goodwill Theatre Complex as the development of this cultural anchor will help support the revitalization of the area surrounding Binghamton University Pharmacy School and be a catalyst for development in the surrounding area.

### **Resolution #2016 - 107**

Approve a request from St. John Ukrainian Orthodox Church to close St. John's Parkway at Virginia Avenue on July 16 & 17, 2016 for their annual Ukrainian Day Festival contingent upon the church obtaining an amusement license, the Village receiving proof of the required liability insurance and acceptable security/safety plans.

## **PUBLIC SAFETY**

**FIRE (Trustee Balles)** – No new business

**POLICE (Trustee Balles)**

### **Resolution #2016 - 108**

Appoint Heather Magargle to the position of General Clerk Part Time, effective June 23, 2016, at a rate of \$11.00 per hour, not to exceed 19.5 hours per week, contingent upon the successful completion of a background investigation.



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### **Resolution #2016 - 109**

Declare a 1999 Ford Crown Victoria VIN# 2FAFP17W4XX207798 (JCPD Parking Enforcement Car #744) which is beyond reasonable repair due to frame rot and will no longer be able to be used, three (3) prisoner partitions from older police vehicles that cannot be used in newer police vehicles and a Cannondale Police Bicycle S/N MH01907 which is outdated and difficult to service due to parts being discontinued and has been replaced by a new bicycle, as surplus equipment and authorize the Police Department to dispose of the same via AuctionsInternational.com at no cost to the Village.

### **Resolution #2016 - 110**

Authorize the Chief of Police to terminate the department's agreement with Appriss and sign a new agreement with Car Fax that will allow Car Fax to provide motor vehicle reports to the public online for a convenience fee to the requestor but at no cost to the Village.

### **PUBLIC WORKS (Trustee Balles)**

#### **Resolution #2016 - 111**

Accept the resignation of Thomas Steed from the Department of Public Works effective June 14, 2016.

#### **Resolution #2016 - 112**

Appoint Todd Cutting to the position of Probationary Laborer - Refuse effective June 30, 2016, at a starting hourly rate of \$16.07 as set by the Collective Bargaining Agreement, contingent upon the successful completion of the required pre-employment drug testing and the successful completion of a background check.

#### **Resolution #2016 - 113**

Award the bid for the Reynolds Road/Anna Maria Drive Drainage Improvements Project, a Community Development Block Grant Disaster Recovery Project, funded through the Governor's Office of Storm Recovery in the amount of \$866,250.00 to ZMK Construction as the lowest responsive bid, contingent upon the Governor's Office of Storm Recovery (GOSR) review and authorization to execute the contract.

#### **Resolution #2016 - 114**

Award the bid for the purchase of gate valves in the amount of \$5,280.00 to HD Supply Waterworks Ltd. as the lowest responsive bid.

#### **Resolution #2016 - 115**

Award the bid for the purchase of hydrants in the amount of \$21,600.00 to HD Supply Waterworks Ltd. as the lowest responsive bid.

#### **Resolution #2016 - 116**

Authorize the Broome County Promise Zone to hold their annual "Family Nights In The Park" event at CFJ Park on Wednesday, August 24, 2016 from 5:30 – 7:30pm, contingent upon providing the appropriate liability insurance, security details and the completion of a parks reservation form.



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**RECREATION (Trustees Balles)** – No new business

**PLANNING, ZONING & CODE ENFORCEMENT (Trustees Balles & Fuller)** – No new business

**JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)**

**Resolution #2016 - 117**

Authorize the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to modify the 2015 and 2016 Binghamton-Johnson City Joint Sewage Board budgets to account for flood recovery reimbursements received which are to be paid over to the JSTP's owners.

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

*WHEREAS, the JSTP is operated and maintained by the Binghamton-Johnson City Joint Sewage Board (the "Sewage Board") under a series of inter-municipal agreements between the City and the Village; and*

*WHEREAS, the Board of Trustees and the Common Council of the City of Binghamton approve the Sewage Board's budget; and*

*WHEREAS, the Sewage Board has received reimbursements for flood recovery expenses incurred by the Village and the City which require corresponding reimbursement to the Village and the City; and*

*WHEREAS, progress payments under FEMA Project Worksheet #02150 compensating for September 2011 flood damage to the Terminal Pumping Station require that \$99,772.63 received by the Sewage Board in 2015 and \$160,803.81 received by the Sewage Board in 2016 be reimbursed to the Village and the City in their respective shares; and*

*WHEREAS, in consultation with the Sewage Board's Fiscal Officer (City of Binghamton Comptroller), the Sewage Board has proposed revenue neutral transfers and modifications to the Sewage Board's 2015 and 2016 operating budgets to account for the receipt by the Sewage Board and reimbursement to the Village and the City of the flood recovery reimbursements received,*

*NOW, THEREFORE, the Board of Trustees of the Village of Johnson City, duly convened in regular session, does hereby resolve as follows:*

*Section 1. That the Village Board approves the following modifications to the 2015 Joint Sewage Board budget:*

- a. that 2015 ledger account J.9740.57000 ("Transfer to Owners") be increased by \$99,772.63;*
- b. that appropriations in the 2015 Joint Sewage Board Appropriations budget be increased in the amount of \$99,772.63 on line J8130.54899 – Reimburse Owner Recovery Expenses) to fund payments to or on behalf of the JSTP's Owners (\$45,097.23 for the Village of Johnson City and \$54,675.40 for the City of Binghamton), and that upon approval of these budget modifications by a*



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*majority of the Village Board and a majority of the Common Council of the City, the Joint Sewage Board Fiscal Officer is authorized and directed to make and journal such budget modifications.*

*Section 2. That the Village Board approves the following modifications to the 2016 Joint Sewage Board budget:*

- a. that 2016 ledger account J.9740.57000 ("Transfer to Owners") be increased by \$160,803.81;*
- b. that appropriations in the 2016 Joint Sewage Board Appropriations budget be increased in the amount of \$160,803.81 on line J8130.54899 – Reimburse Owner Recovery Expenses) to fund payments to or on behalf of the JSTP's Owners (\$72,683.33 for the Village of Johnson City and \$88,120.48 for the City of Binghamton), and that upon approval of these budget modifications by a majority of the Village Board and a majority of the Common Council of the City, the Joint Sewage Board Fiscal Officer is authorized and directed to make and journal such budget modifications.*

*Section 3. That this resolution shall take effect immediately, except as otherwise provided above.*

### **15. PRIVILEGE OF THE FLOOR – VISITORS**

### **16. ADJOURNMENT**

***To contact Village Board members via e-mail please use the following addresses:***

*Mayor Gregory Deemie - jcmayor@villageofjc.com*

*Trustee Richard Balles - rballes@villageofjc.com*

*Trustee Deborah Fuller - dfuller@villageofjc.com*

*Trustee Martin Meaney - mmeaney@villageofjc.com*

*Trustee John Walker - jwalker@villageofjc.com*





518-854-5537

www.VellanoTechnologies.com

info@vellano.com

Gas Detection | Wastewater Odor Control | Water Meters

Dear Bob

6/17/16

Please note that the sealed bid Vellano Corp submitted for fire hydrants + Gate valves was incorrect. I reversed the bid on the hydrants.

I mistakenly put our gate valve bid price on the fire hydrant bid. And hydrant price on the gate valves bid.

Hydrants should have been \$25,419.40  
Gate valves should have been \$6,147.70

Sincerely

Parvat Branch Mgr

