



VILLAGE OF JOHNSON CITY

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

Village Board

Gregory Deemie, Mayor
Bruce King, Deputy Mayor

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

AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, June 20, 2017 @ 7:30pm • Village Hall, 243 Main St., 2nd 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 18, 2017 at 7:30pm with a work session at 5:30pm.
- [3.2] Village Offices will be closed on Tuesday, July 4th in observance of Independence Day. Refuse Collections will be as follows:
 - Garbage normally collected on Tuesday, July 4th will be collected Wednesday, July 5th
 - Garbage normally collected on Wednesday, July 5th will be collected Thursday, July 6th
 - Garbage normally collected on Thursday, July 6th will be collected Friday, July 7th
 - Garbage normally collected on Friday, July 7th will be collected Monday, July 10th
 - THERE WILL BE NO YARDWASTE COLLECTED, MONDAY, JULY 10th
- [3.3] Johnson City Partners Cruze-Inz will be held from 5-8pm on Thurs., July 20th in the Village Hall Parking lot.
- [3.4] There will be a free tire drop-off on Saturday, August 12, 2017 from 7:00am – 11:00am at the DPW garage at 124 Brown Street. Only passenger tires with no rims will be accepted. There is a limit of 4 tires per person. You must be a resident of the Village to bring any tires to the drop off. Proof of residency is required.
- [3.5] AFSCME awarded plaque for being a member of Council 66 for 25 years.
- [3.6] Johnson City Celebration Committee donation - flags for the light poles on Main Street

4. **APPROVAL OF BOARD MINUTES**

Minutes of May 16, 2017 regular meeting and work session

5. **BIDS**

- [5.1] Bids were opened and read at 10:00am on Thursday, May 18, 2017 at Village Hall for Hydrants as follows:

<u>Contractor</u>	<u>Bid Amount</u>
HD Supply Waterworks	\$2,119.95 per hydrant
Ferguson Waterworks	\$2,210.10 per hydrant
EJ Prescott	no bid



VILLAGE OF JOHNSON CITY

[5.2] Bids were opened and read at 10:00am on Thursday, May 18, 2017 at Village Hall for Gate Valves as follows:

<u>Contractor</u>	<u>Bid Amount</u>
EJ Prescott	\$495.00 per valve
HD Supply Waterworks	\$533.20 per valve
Ferguson Waterworks	\$545.00 per valve

[5.3] Bids were opened and read at 10:00am on Thursday, June 20, 2017 at Village Hall for the George Korutz Justice Building Roof Rehabilitation as follows:

<u>Contractor</u>	<u>Bid Amount</u>
AW Farrell	\$275,010.00
Weather Master	\$335,425.00
Patterson-Stevens	\$335,865.00
J & B Installations	\$369,350.00
Tower Roofing	\$532,000.00
<i>Engineer's Estimate</i>	<i>\$287,000.00</i>

6. PUBLIC HEARINGS - None

7. PETITIONS RECEIVED

8. PRIVILEGE OF THE FLOOR – VISITORS

9. COMMUNICATIONS

- [9.1] Letter from Michael Martinez regarding an issue with yard waste collection at his property on Oakdale Road and Ivy Place.
- [9.2] Notice of an application for a liquor license for the Goodwill Theatre, Inc. (Schorr Family Firehouse Stage) at 48 Willow Street.
- [9.3] Letter of Congratulations from the Mayor & Board to the SCC Girls Basketball Team

10. COMMITTEE/BOARD REPORTS

- [10.1] Minutes of the April 10, 2017 regular meeting of the JC Zoning Board of Appeals
- [10.2] Minutes of the June 7, 2017 regular meeting of the Town of Union Board
- [10.3] Minutes of the May 17, 2017 regular meeting of the Town of Union Board
- [10.4] Minutes of the May 18, 2017 meeting of the Broome Co. Assoc. of Municipal Clerks

11. DEPARTMENT REPORTS

- [11.1] Fire Department Overtime Report for the week of May 4, 2017 – May 17, 2017
- [11.2] Fire Department Overtime Report for the week of May 18, 2017 – May 31, 2017
- [11.3] Fire Department Overtime Report for the week of June 1, 2017 – June 14, 2017
- [11.4] Police Department Overtime Report for the week of May 4, 2017 – May 17, 2017
- [11.5] Police Department Overtime Report for the week of May 18, 2017 – May 31, 2017
- [11.6] Police Department Overtime Report for the week of June 1, 2017 – June 14, 2017
- [11.7] Code Enforcement Monthly Report – April 2017



12. PAYROLL AND BILLS PRESENTED

Abstract #1 of the 2017 - 2018 Fiscal bills

GENERAL FUND	\$811,795.84
WATER FUND	\$317,228.27
SEWER FUND	\$101,812.87
REFUSE FUND	\$57,029.67
JSTP	\$2,663,960.35
VARPUR	\$3,543,197.27

13. UNFINISHED BUSINESS

Resolution #2017 - 85

Acknowledge and consent to the Johnson City Zoning Board acting as lead agency for the purpose of the Wireless Telecommunications Facility on Village property at 340 Main Street/9 Harrison Street and authorize the Mayor to consent to the same in writing.

Resolution #2017 - 86

Authorize the approval of a license for a Wireless Telecommunications Facility on Village property.

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless (“Verizon Wireless”) proposes to construct and operate a wireless telecommunications facility on property to be licensed from the Village of Johnson City (the “Village”), pursuant to that certain License Agreement between the Village and Verizon Wireless (the “License”), and located in the right-of-way known as Harrison Street, in the Village of Johnson City, County of Broome, State of New York (the “Property”); and

WHEREAS, the facility consists of ground space for a utility pole and communications facility on the Property for the installation of Verizon Wireless’ equipment and associated appurtenances (the “Project”), as more particularly shown on the License Exhibit attached to the License as Exhibit “A”; and

WHEREAS, the Village Board may approve the License pursuant to Village Law §1-102(1); and

WHEREAS, the premises to be licensed to Verizon Wireless are not needed for Village purposes; and

WHEREAS, the Village Board has determined that entering the License is in the best interests of the Village; and

WHEREAS, the Village Board has determined that the rent to be paid by Verizon Wireless is of fair market value; and

WHEREAS, in connection with the License, the Village Board has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project and the License pursuant to the State Environmental Quality Review Act (“SEQRA”) and on May 16, 2017 duly issued a Negative Declaration pursuant thereto; and

WHEREAS, the Village Board has reviewed the Project, the License and all other materials submitted in connection therewith; and



VILLAGE OF JOHNSON CITY

WHEREAS, the Village Board met on May 16, 2017 to consider the License.

NOW, THEREFORE BE IT RESOLVED that:

- 1. The Village Board hereby authorizes the Mayor to execute the License, substantially in the form presented to the Village Board, to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on the Property for an initial term of 5 years with up to 4 additional 5 year renewal terms as described in the License; and for an initial annual rent of \$3,600.00 with 10% increases every 5 years; and for such other terms and conditions as agreed upon by the Village and Verizon Wireless.*
- 2. The Village Board finds that entering the License is in the best interest of the Village and surrounding community because, among other things, the Project will provide an essential service to the Village and the public in general and will have no adverse effect on the health, safety or welfare of the public.*

Resolution #2017 - 92

Authorize and establish the starting annual salary of a probationary Fire Fighter at \$36,000.00, from \$34,222.08, effective June 1, 2017.

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2017 - 101

Approve a request from St. John Ukrainian Orthodox Church to close St. John's Parkway at Virginia Avenue on July 15 & 16, 2017 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.

Resolution #2017 - 102

Appoint Jovanny Mejia to the temporary position of part time Zombie Properties Clerk effective Thursday, June 22, 2017 contingent upon the successful completion of a background check with the salary being paid through the Zombie Properties Grant from the NY Attorney General's office.

Resolution #2017 - 103

Recognize the value of community gardens and municipal-nonprofit partnerships for implementation of such projects within the Village and support the construction of community gardens run in partnership with the established non-profit organization Volunteers Improving Neighborhood Environments with Village Board approval required for each garden project.

Resolution #2017 - 104

Adopt the use of the NYS recommended Unified Solar Permitting Process

Resolution #2017 - 105

Authorize for the advertisement of bids for the demolition of 38 St. Charles Street.

Resolution #2017 - 106

Authorize for the advertisement of bids for the demolition of 219 Main Street.



VILLAGE OF JOHNSON CITY

Resolution #2017 - 107

Adopt the following resolution:

WHEREAS, a local law, being proposed as Local Law No. 5 of 2017, entitled "A Local Law amending chapter 5 of the Village Code entitled 'APPEARANCE TICKETS'" a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on July 18, 2017, at the Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Resolution #2017 - 108

Introduce Local Law #6-2017, amending sections of Chapter 264 of the Village Code entitled "Vehicles and Traffic" as follows: §264-87A. (Schedule XII: Parking Prohibited at All Times) to delete Floral Avenue, South, From House No. 196 to Burbank Avenue, and replace it with Floral Avenue, South, From Riverside Drive to Burbank Avenue; to delete Floral Avenue, South, From the east end of church lot to Ackley Avenue, and replace it with Floral Avenue, North, From Riverside Drive to Burbank Avenue; §264-87B. (Schedule XII: Parking Prohibited at All Times) to delete Floral Avenue, North, From 33.5 feet to Burbank Avenue; to delete Floral Avenue, South, From 16.8 feet Pole No. 113; §264-88 (Schedule XIII: No Stopping) to delete Floral Avenue, South, From Burbank Avenue to Business No. 100, and replace it with Floral Avenue, South, From Burbank Avenue to Riverside Drive; to add Floral Avenue, North, From Burbank Avenue to Riverside Drive; §264-89A. (Schedule XIV: No Standing) to delete the following: Floral Avenue, North, 25.7 feet east of Cook Street, Floral Avenue, North, 32.9 feet to Roberts Street, Floral Avenue, North, 33.4 feet east of Harrison Street, Floral Avenue, North, 35.4 feet west of Cook Street, Floral Avenue, North, 41.0 feet west of Harrison Street, Floral Avenue, North, 42.2 feet to Hudson Street, Floral Avenue, North, 43.5 feet to Baldwin Street; §264-89B. (Schedule XIV: No Standing) to delete Floral Avenue, North, East of Willow Street, and replace it with From Riverside Drive to Burbank Avenue; to delete Floral Avenue, North, From Hudson Street to St. Charles Street; to delete Floral Avenue, South, 26.3 feet east of Utility Pole No. 56-126, and replace it with Floral Avenue, South, From Riverside Drive to Burbank Avenue; §264-90. (Schedule XV: Parking Prohibited Certain Hours) to delete Floral Avenue, North, 8:00 a.m. to 6:00 p.m./Mon. through Fri., From St. Charles Street to Elizabeth Street; §264-93. (Schedule XVIII: Time Limit Parking) to delete Floral Avenue, 2 hrs., All/All, North, Business No. 103; §264-100. (Schedule XXV: Red-Line Streets) to delete Floral Avenue*; §264-103. (Schedule XXVIII: Snow Emergency Parking) to delete Floral Avenue, South, Entire south side; to schedule a public hearing on said local law on July 18, 2017 at 7:35 p.m. and to authorize publication of notice of said public hearing.



VILLAGE OF JOHNSON CITY

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) – No new business

POLICE (Trustees Balles & Walker)

Resolution #2017 - 109

Accept the resignation of Sergeant Brian Berdine effective May 31, 2017.

Resolution #2017 - 110

Appoint Jay Peets to the position of Police Officer as a lateral transfer from the Tupper Lake Police Department, filling a vacancy created by the resignation of Brian Berdine, at a starting salary of \$44,025.00, effective July 6, 2017 contingent upon the required physical examination and the successful completion of a background investigation and final approval from Broome County Civil Service.

Resolution #2017 - 111

Award the bid for the George Korutz Justice Building Roof Rehabilitation in the amount of \$275,010.00 to AW Farrell as the lowest responsive bid.

PUBLIC WORKS (Trustees Balles & King)

Resolution #2017 - 112

Award the bid for Hydrants in the amount of \$2,119.95 per hydrant to HD Supply Waterworks as the lowest responsive bid.

Resolution #2017 - 113

Award the bid for Gate Valves in the amount of \$495.00 per valve per valve to EJ Prescott as the lowest responsive bid.

RECREATION (Trustees Balles & King) – No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Balles & Walker)

Resolution #2017 - 114

Accept the resignation of Thomas Sheredy from the Planning Board effective June 7, 2017.

JOINT SEWAGE TREATMENT BOARD (Trustees Meaney & King)

Resolution #2017 - 115

Approve modifications to the 2017 Binghamton-Johnson City Joint Sewage Board Budget to fund Solids Handling Improvements on an Initial Basis and Intention to Reimburse Expenditures for Project Costs from Proceeds of Tax-Exempt Obligations.

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



VILLAGE OF JOHNSON CITY

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

WHEREAS, the Board of Trustees of the Village and the Binghamton City Council approve the budget for operation and maintenance of the JSTP (the "JSTP Budget"); and

WHEREAS, it is advisable to construct improvements at the JSTP for Solids Handling (the "Project") and to proceed with construction of such improvements expeditiously during the current construction season;

WHEREAS, it is beneficial to make modifications to the JSTP Budget pending a bond, bond anticipation note, or other source of permanent funding approved by the City and Village for the Project; and

WHEREAS, the Village intends to finance the Project or portions of the Project with the proceeds of the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes;

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 hereby authorizes and directs the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to amend the 2017 JSTP Budget as follows: (i) create Capital Fund budget line JH8130.554073 (Phase III Remedial Project – Solids Handling Improvements); (ii) create Estimated Revenue budget line J.42770.D (Owner Reimbursements); and (iii) fund and appropriate \$5,200,000.00 to both of the newly-created budget lines.

Section 2. That the costs of construction of the Solids Handling Improvements be paid in due course from the newly-created Capital Fund budget line JH8130.554073 (Solids Handling Improvements).

Section 3. That upon receipt of funds from a bond, bond anticipation note, or other source approved by the Village and the City, the JSTP Budget shall be reimbursed via Estimated Revenue budget line J.42770.D (Owner Reimbursement) for the construction costs expended pursuant to this ordinance.

Section 4. The reasonably expected maximum principal amount of the bond or bond anticipation note to be issued to fund the portion of the Project initially funded by the 2017 JSTP Budget is \$5,200,000. This ordinance is adopted, in part, as official action of the Village in order to comply with Treasury Regulations §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Village and/or JTSP expenditures incurred prior to the date of issue of the bond or bond anticipation note.

Section 5. That this ordinance shall take effect immediately upon the approval of a majority of each of the legislative bodies of the Village and the City.



VILLAGE OF JOHNSON CITY

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

Deputy Mayor Bruce King - bking@villageofjc.com

Trustee Richard Balles - rballes@villageofjc.com

Trustee Martin Meaney - mmeaney@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com



VILLAGE OF JOHNSON CITY

VILLAGE OF JOHNSON CITY - LOCAL LAW NO. 5 FOR THE YEAR 2017

A LOCAL LAW AMENDING CHAPTER 5 OF THE VILLAGE CODE ENTITLED APPEARANCE TICKETS

Section 1. Chapter 5 of the Village Code shall hereby be deleted in its entirety and replaced with the following:

§ 5-1. PURPOSE.

The purpose of this chapter is to authorize public servants, employees and agents of the Village of Johnson City to issue and serve appearance tickets in connection with violations of state statutes, local laws, code violations, ordinances and/or rules and regulations of the Village of Johnson City which the public servants, agents or employees are authorized or required to enforce.

§ 5-2. AUTHORIZATION TO ISSUE APPEARANCE TICKETS.

The following public servants, agents or employees of the Village of Johnson City are hereby authorized to issue and serve appearance tickets with respect to violations of state statutes, local laws, ordinances, rules and regulations of the Village of Johnson City that such public servants are respectively, required or authorized to enforce:

- A. Code Enforcement Officer: violation of any provision of Part II of the Code (except for violations of Chapter 264, Vehicles and Traffic, Chapter 192, Peace and Good Order, Chapter 92, Alcoholic Beverages), including but not limited to the following:
 - a. Building, including but not limited to the New York State Uniform Fire Prevention and Building Code.
 - b. Zoning.
 - c. Planning.
 - d. Fire prevention and safety.
 - e. Licensing of occupations or businesses as may be regulated by the Village of Johnson City.
- B. Police Officers:
 - a. Violations relating to public health, safety and welfare, including but not limited to violations of Code Chapter 92, Alcoholic Beverages; violations of Code Chapter 96, Animals; violations of Code Chapter 192, Peace and Good Order; and violations of Code Chapter 240, Streets and Sidewalks.
 - b. Violations of Code Chapter 264, Vehicle and Traffic.
 - c. Violations of Code Chapter 196, Peddling and Soliciting.
- C. Director of Public Services, or any designate thereof:
 - a. Sewage and health violations, including but not limited to the New York State Sanitary Code.

§ 5-3. MANNER OF SERVICE.

An appearance ticket shall be served in accordance with §150.20 and §150.40 of the New York Criminal Procedure Law.



VILLAGE OF JOHNSON CITY

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.