



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

Tues., October 17, 2017 @ 7:30pm • Village Hall, 243 Main St., 2nd fl, Johnson City, NY

We kindly request that you turn off or mute all electronic devices.

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, November 21, 2017 at 7:30pm with a work session at 5:30pm.

[3.2] Village Offices will be closed on Friday, November 10th for Veteran's Day. There WILL BE regular refuse collection on Friday, November 10th.

[3.3] Village Offices will be closed on Thursday, November 23rd and Friday, November 24th for Thanksgiving. Refuse Collections will be as follows: Garbage normally collected on Thursday, Nov. 23rd will be collected on Friday, Nov. 24th. Garbage normally collected on Friday, Nov. 24th will be collected on Monday, Nov. 27th. There will be no yardwaste on Monday, Nov. 27th.

4. **APPROVAL OF BOARD MINUTES**

Minutes of October 3, 2017 regular meeting and work session

5. **BIDS** - None

6. **PUBLIC HEARINGS** - None

7. **PETITIONS RECEIVED**

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

9. **COMMUNICATIONS**

[9.1] Notice of the October 19, 2017 meeting of the Broome Co. Assoc. of Municipal Clerks

[9.2] Notice of the October 26, 2017 meeting of the Broome Co. Assoc. of Towns & Villages

10. **COMMITTEE/BOARD REPORTS**

[10.1] Minutes of the October 4, 2017 regular meeting of the Town of Union Board

[10.2] Minutes of the Sept. 21, 2017 meeting of the Broome Co. Assoc. of Municipal Clerks

[10.3] Minutes of the October 11, 2017 work session of the Town of Union Board



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[10.4] Minutes of the August 8, 2017 regular meeting of the Village of Endicott Board

[10.5] Minutes of the September 12, 2017 regular meeting of the Village of Endicott Board

11. DEPARTMENT REPORTS

[11.1] DPW Overtime Report – September 2017

[11.2] Police Overtime Report for the week of September 21, 2017 – October 4, 2017

[11.3] Fire Overtime Report for the week of September 21, 2017 – October 4, 2017

12. PAYROLL AND BILLS PRESENTED

Abstract #8 of the 2017 - 2018 Fiscal bills

GENERAL FUND	\$ 537,889.43
WATER FUND	\$ 18,750.62
SEWER FUND	\$ 193,091.35
REFUSE FUND	\$ 209,634.96
JSTP	\$ 902,759.07
VARPUR	\$ 3,544,766.00

13. UNFINISHED BUSINESS

Resolution #2017 – 176

Authorize the Mayor to sign an agreement with New York State Electric & Gas to allow them to install a gate at the boundary of Boland Park to access the licensee's Electric Substation at 726 Riverside Drive.

Resolution #2017 – 177

Authorize the Mayor to sign an agreement with New York State Electric & Gas to allow them to use the premises of Boland Park for an access road to property owned by the licensee only until the termination of this license.

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2017 – 179

Authorize the Village, in partnership with Walmart and the Johnson City Celebration Committee, Inc. to hold the eighth annual Lights on the Carousel at the CFJ Carousel from 5pm – 8pm on December 1st & 2nd, December 8th & 9th and December 15th & 16th.

Resolution #2017 – 180

Accept a NFC Fitness Grant in the amount of \$10,000.00 towards building an NFC Fitness Court.

Resolution #2017 – 181

Authorize the forgiveness of a \$67.20 charge for excess refuse collected at 56 Sherman Street.

Resolution #2017 – 182

Authorize the forgiveness of a \$60.00 charge for uncontained yard waste that was tagged by the DPW, remained at the curb and was subsequently collected at 64 Allen Street.



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Resolution #2017 – 183

Authorize the forgiveness of the \$78.60 charge for the installation of a different type of water meter at 170 Myrtle Avenue.

Resolution #2017 – 184

Appoint June Adamek as a Library Board Trustee, replacing Lynette Bryan who has resigned, effective immediately for a term ending December 31, 2018.

Resolution #2017 – 185

Adopt a resolution requesting Senator Akshar and Assemblyperson Lupardo to sponsor home rule legislation to empower and authorize the Village of Johnson City to pass a local law creating a tax or fee on certain tax exempt properties within the Village.

WHEREAS, the tax base of the Village of Johnson City is shrinking; and

WHEREAS, 3.14% of properties in the Village are currently tax exempt, representing 40.76% of the total assessed value of the Village; and

WHEREAS, taxable property is still being removed from the tax rolls; and

WHEREAS, the New York State mandated property tax cap hinders the Village's ability to generate revenue to provide essential services; and

WHEREAS, that Home Rule Legislation enables the Village of Johnson City to seek and impose a tax or fee for service on certain tax exempt properties.

NOW, THEREFORE, BE IT RESOLVED the Board of Trustee of the Village of Johnson City duly convened in regular session hereby request that Senator Akshar and Assemblyperson Lupardo sponsor home rule legislation to empower and authorize the Village of Johnson City to pass a local law creating a tax or fee on certain tax exempt properties within the Village and

BE IT RESOLVED that the fee for service includes all current and future tax exempt properties within the Village of Johnson City, with the exception of Houses of Worship and Schools that instruct children in grades twelve and under; and

BE IT RESOLVED that the Village Board finds and determines that it does not have the legal authority to adopt a local law relating to the proposed legislation or enact the legislation it is requesting; and

BE IT RESOLVED, that the Village Clerk-Treasurer shall send certified copies of this Resolution to Senator Akshar and Assemblyperson Lupardo; and

BE IT RESOLVED, that the Mayor is authorized to execute paperwork related to this home rule request; and

BE IT RESOLVED, that this resolution shall be effective immediately.

Resolution #2017 – 186

Adopt a resolution requesting Senator Akshar and Assemblyperson Lupardo to sponsor home rule legislation to empower and authorize the Village of Johnson City to pass a local law creating a Hotel/Motel occupancy tax on hotel/motel properties within the Village.



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WHEREAS, economic times are difficult; and municipalities need additional non-property tax sources of revenue to fund basic services to keep their communities safe and properly serviced.

WHEREAS, the New York State mandated property tax cap hinders the Village's ability to generate revenue to provide essential services; this legislation will assist the Village of Johnson City to fund necessary services.

WHEREAS, that Home Rule Legislation enables the Village of Johnson City to seek and impose a an occupancy tax on hotel/motel properties within the Village

NOW, THEREFORE, BE IT RESOLVED the Board of Trustee of the Village of Johnson City duly convened in regular session hereby request that Senator Akshar and Assemblyperson Lupardo sponsor home rule legislation to empower and authorize the Village of Johnson City to pass a local law creating a occupancy tax on hotel/motel properties within the Village and

BE IT RESOLVED WHEREAS, the Village desires that the home rule legislation include a requirement that the municipality levying the tax set aside one-sixth of the taxes collected to promote economic development and tourism within the respective municipality; and

BE IT RESOLVED that the Village Board finds and determines that it does not have the legal authority to adopt a local law relating to the proposed legislation or enact the legislation it is requesting; and

BE IT RESOLVED, that the Village Clerk-Treasurer shall send certified copies of this Resolution to Senator Akshar and Assemblyperson Lupardo; and

BE IT RESOLVED, that the Mayor is authorized to execute paperwork related to this home rule request; and

BE IT RESOLVED, that this resolution shall be effective immediately.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker)

Resolution #2017 – 187

Adopt the following resolution contracting for the purchase of an aerial truck without competitive bids from a sole source supplier.

WHEREAS, the Village of Johnson City desires to contract for the purchase of an aerial truck without competitive bids from a sole source supplier because of unique circumstances; and

WHEREAS, the Village of Johnson City and its Fire Chief have investigated various options with its current aging aerial truck; but have determined that the Village current aerial truck must be replaced; and

WHEREAS, through the investigation, it has become clear that the Village has a valid public interest in a light weight truck with the specific requirements of ample turning radius, an aerial apparatus with a 100 foot aluminum mid mounted aerial platform, a stainless steel body, a single pair of outriggers and a huck bolted aluminum box boom aerial; and



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WHEREAS, the Trustees have discussed the justification for this specific requirements as they specifically relate to the Village and the Fire Chief has provide sufficient factual and technical support via a memorandum; and

WHEREAS, the Trustees, upon the recommendation of the Fire Chief, find that the truck is uniquely required for the Village and that the specific requirements are uniquely required in the public interest for the Village;

WHEREAS, this specific truck, with these specific requirements, is only available from Sutphen Fire Apparatus; they are the sole source; and

WHEREAS, therefore there is no substantial equivalent and thus there is no competition for it; and

NOW, THEREFORE, BE IT RESOLVED the Board of Trustees of the Village of Johnson City duly convened in regular session hereby authorize the purchase of this aerial truck and authorize the Mayor to enter into agreement with Sutphen Fire Apparatus for the purchase of a Sutphen SPH 100 Stock Aerial truck 387 for a total amount of \$997,500, delivery and warranties included; all without advertising for sealed bids as authorized by State Comptroller Opinion 67-558 in situations where items can be purchased from only one source; and

BE IT RESOLVED, that this resolution shall be effective immediately.

POLICE (Trustees Balles & Walker)

Resolution #2017 – 188

Accept a grant from Broome County District Attorney Steve Cornwell's Aid to Police Grant in the amount of \$10,000.00 to be used to purchase updated patrol car computers.

Resolution #2017 – 189

Appoint Justin Davy to the position of Police Officer in the Johnson City Police Department as a lateral transfer at the Grade 2 salary of \$47,226, to be effective November 2, 2017 contingent upon the successful completion of a background investigation and physical exam.

Resolution #2017 – 190

Approve a travel request for Dan VanWie, Matthew Kushner, and Mike Hepler to attend SWAT team Special Training from November 13 – November 17, 2017 at Fort Drum, NY at a cost of \$1,765.00 from budget line A3120.4.551.

Resolution #2017 – 191

Declare the following items as surplus equipment: 1) 5 tires w/rims that have no useful purpose to the Village (1 Eagle P225/50 R16 - Fair condition, 4 Eagle P225/60 R16 - 2 fair and 2 poor), 2) Patrol vehicle #742 VIN# 1J4GR48K35L685757 (a 2005 Jeep Laredo, currently a K9 vehicle, with high mileage around 153,000 and will be decommissioned in the near future), 3) 2007 Ford Taurus VIN# 1FAHP53U87A185791, (JCPD Det. white car, vehicle has a rotted floor, service issues, and it is not cost effective to repair) and authorize the Police Department to dispose of these items via AuctionsInternational.com at no



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cost to the Village and further authorizing the Police Department to properly discard these items if they do not sell after the auction.

PUBLIC WORKS (Trustees Balles & King) – No new business

RECREATION (Trustees Balles & King) – No new business

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

JOINT SEWAGE TREATMENT BOARD (Trustees Meaney & King)

Resolution #2017 – 192

Authorize the acceptance of a FEMA settlement relating to 4031-PW2504v1 in the amount of \$2,501,820.69 and further authorize the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to modify the 2017 Budget appropriations as follows (J.44960 (Federal Aid – Emergency) be increased by \$2,501,820.69, JF.45031 (Flood Fund - Interfund Transfer) be credited/increased by \$45,589.51, J8130.54899 (Reimburse Owners for Rec) be increased by \$2,456,231.18, J9950.59000 (Transfer to Capital) be increased by \$45,589.51 and JF8130.559105 (Flood Capital Fund – Professional Services) be increased by \$45,589.51 to allow payment of \$2,456,231.18 to the Owners (City of Binghamton (54.8%) in the amount of \$1,346,014.69 and the Village of Johnson City (45.2%) of \$1,110,216.49).

Resolution #2017 – 193

Authorize the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to transfer \$6,000.00 from Sludge and Waste Disposal (line J8130.54804) and increase Vehicle Repairs (line J8130.54450) to allow for the repair and maintenance of plant vehicles.

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@villageoffjc.com

Deputy Mayor Bruce King - bking@villageoffjc.com

Trustee Richard Balles - rballes@villageoffjc.com

Trustee Martin Meaney - mmeaney@villageoffjc.com

Trustee John Walker - jwalker@villageoffjc.com