



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

[3.2] 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.

[3.3] Alternate street parking begins on December 1st.

[3.4] Annual Holiday Parade – Thursday, Nov. 30, 2017

4. **APPROVAL OF BOARD MINUTES**

Minutes of October 17, 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 November 14, 2017 meeting of the Joint Sewage Board

10. **COMMITTEE/BOARD REPORTS**

[10.1] Minutes of the November 1, 2017 regular meeting of the Town of Union Board

[10.2] Minutes of the Oct 19, 2017 meeting of the Broome Co. Assoc. of Municipal Clerks

[10.3] Minutes of the October 18, 2017 regular meeting of the Town of Union Board

[10.4] Minutes of the October 10, 2017 regular meeting of the Endicott Village Board



VILLAGE OF JOHNSON CITY

- [10.5] Minutes of the June 13, 2017 regular meeting of the Binghamton – JC JSB
- [10.6] Minutes of the July 11, 2017 regular meeting of the Binghamton – JC JSB
- [10.7] Minutes of the August 8, 2017 regular meeting of the Binghamton – JC JSB
- [10.8] Minutes of the August 14, 2017 regular meeting of the Binghamton – JC JSB

11. DEPARTMENT REPORTS

- [11.1] DPW Monthly Report – October 2017
- [11.2] DPW Overtime Report – October 2017
- [11.3] Police Dept. Overtime Report for the week of October 5, 2017 – October 18, 2017
- [11.4] Police Dept. Overtime Report for the week of October 19, 2017 – November 1, 2017
- [11.5] Police Dept. Overtime Report for the week of November 2, 2017 – November 15, 2017
- [11.6] Fire Dept. Overtime Report for the week of October 5, 2017 – October 18, 2017
- [11.7] Fire Dept. Overtime Report for the week of October 19, 2017 – November 1, 2017
- [11.8] Fire Dept. Overtime Report for the week of November 2, 2017 – November 15, 2017
- [11.9] Police Dept. Monthly Report – July 2017
- [11.10] Police Dept. Monthly Report – August 2017

12. PAYROLL AND BILLS PRESENTED

Abstract #9 of the 2017 - 2018 Fiscal bills

GENERAL FUND	\$ 1,148,515.35
WATER FUND	\$ 593,590.27
SEWER FUND	\$ 182,496.03
REFUSE FUND	\$ 52,173.10
JSTP	\$ 3,212,476.69
VARPUR	\$
CAPITAL	\$ 137.28

13. UNFINISHED BUSINESS

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

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



VILLAGE OF JOHNSON CITY

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.

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2017 – 195

Approve the hiring Goldberg Segalla LLP, as outside counsel, as per the proposed retainer, for the pending litigation matter- Clark v City of Binghamton, et al; and authorize the Mayor to execute the retainer.

Resolution #2017 – 196

Accept and authorize the settlement of the pending litigation matter, Town of Union, et al v Time Warner Cable entertainment, et al; and authorize the Mayor to execute any settlement documents.

Resolution #2017 – 197

Motion that the Village continue to not provide disability benefits to its employees, more specifically the Village will not provide Paid Family Leave benefits; but the Village shall continue to provide those disability benefits, if any, that are required by law.

Resolution #2017 – 198

Set a public hearing on December 5, 2017 at 7:00pm on a proposed application to Restore NY, a program offered by Empire State Development, to begin phase one of the rehabilitation of the vacant factory building at 19 Avenue B, which is currently owned by the County of Broome.

Resolution #2017 – 199

Waive the 30 day notice period to The Elephant's Den, 658 Riverdis Drive, for a liquor license with a letter of authorization from the Mayor.



VILLAGE OF JOHNSON CITY

Resolution #2017 – 200

Authorize and direct the Mayor to execute any necessary documents, including the Grant Disbursement Agreement, on the restoration project for the Pagoda Pump House building in CFJ Park with DASNY in a form acceptable to counsel for the Village.

Resolution #2017 – 201

Authorize an extension of the due date for the water, sewer, refuse bill for 81, 83 and 85 North Harrison Street from October 31, 2017 to December 31, 2017 due to the death of the property owner.

Resolution #2017 – 202

Authorize and direct the Mayor to execute any necessary agreements with TASK, in a form acceptable to counsel for the Village, regarding Village benefits, specifically flex spending account.

Resolution #2017 – 203

Authorize Free Parking from the Isabelle Lot to Jennison Street, including Broad Street, Willow Street, Lewis Street, North Broad Street, Avenue D, Avenue C, Avenue B, and Avenue A and all Municipal Lots commencing November 23, 2017 (Thanksgiving Day) through and including January 1, 2018.

Resolution #2017 – 204

Introduce Local Law No. 12 of 2017

WHEREAS, a local law, being proposed as Local Law No. 12 of 2017, entitled “A Local Law amending chapter 147 of the Village Code entitled ‘FIRE INSURANCE CLAIMS’” 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 December 5, 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.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) – No new business

POLICE (Trustees Balles & Walker)

Resolution #2017 – 205

Authorize and direct the Mayor to execute any necessary documents, in regards to the 2017 COPS(Community Policing Efforts) Grant, in a form acceptable to counsel for the Village.



VILLAGE OF JOHNSON CITY

Resolution #2017 – 206

Declare a Barton Recorder system that is no longer needed by the Police Department as surplus equipment and authorize the Police Department to dispose of this item via AuctionsInternational.com at no cost to the Village and further authorizing the Police Department to properly discard these items if they do not sell after the auction.

Resolution #2017 – 207

Declare the following items that are no longer needed by the Police Department as surplus equipment and authorize the Police Department to dispose of this item via AuctionsInternational.com at no cost to the Village and further authorizing the Police Department to properly discard these items if they do not sell after the auction; 1. 10 Taser X26 holsters, both right and left handed (for Tasers that are no longer in service); Taser X26 DPM (9 battery units for old Tasers that are no longer in service); 3. Colt upper receiver (Vietnam era upper); 4. 8 15rnd Glock 9mm magazines; 5. 2 stripped carry handle upper receivers; 6. 5 various rifle scopes; 7. 1 MMC front sight; 8. 4 Glock 2.5lbs trigger connectors; 9. Ruger 10/22 Archangel Kit; 10. 2 surefire P60 Lamp Assemblies; 11. Colt Upper Receiver 20" HBAR barrel, Stock, Pistol Grip (Lower receiver to be destroyed); 12. 2 Federal Laboratories Gas launchers; 13. 18 hard gun cases; 14. 3 soft gun cases

PUBLIC WORKS (Trustees Balles & King)

Resolution #2017 – 208

Appoint Kyle Begley to the position of Probationary Laborer - Refuse, effective November 27, 2017 at a starting hourly rate of \$16.72 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.

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 – 209

Authorize the acceptance of FEMA settlements relating to 4031-PW2504v1 in the amount of \$1,063,416.75 and 4031-PW2550 in amount of \$684,165.38 and increasing 2017 Budget appropriations to allow payment of \$1,615,871.43 to the Owners.

Resolution #2017 – 210

Authorization the enactment of legislation to transfer \$14,000.00 from Electricity (line J8130.54202) and increase Electricity – Plant Pumping (line J8130.54203) by \$10,000.00 and Electricity – TPS (line J8130.54204) by \$4,000.00.

15. PRIVILEGE OF THE FLOOR – VISITORS

16. ADJOURNMENT



VILLAGE OF JOHNSON CITY

VILLAGE OF JOHNSON CITY LOCAL LAW 12 FOR THE YEAR 2017

A LOCAL LAW AMENDING CHAPTER 147 OF THE VILLAGE CODE ENTITLED "FIRE INSURANCE CLAIMS"

Be it enacted by the Board of Trustees of the Village of Johnson City as follows:

Section 1. Section 147-1 of the Village Code is hereby amended as follows:

§ 147-1 Definitions.

REAL PROPERTY

Property upon which there is erected any residential, commercial or industrial building or structure except an owner-occupied single family residential structure and owner-occupied two family residential structures.

(The remainder of this section shall remain the same)

Section 3. Remainder

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

Section 4. 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 5. 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.