



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 Clark Giblin, Trustee John Walker, Trustee

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, August 7, 2018 in the Municipal Building, 243 Main Street, Johnson City

Present: Gregory Deemie, Mayor
 Bruce King, Deputy Mayor
 Richard Balles, Trustee
 Clark Giblin, Trustee
 John Walker, Trustee

Also Present: Cheryl Sacco, Legal Counsel
 Cindy Kennerup, Clerk/Treasurer

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits.

MAYOR'S ANNOUNCEMENTS

- [1] The Johnson City National Night Out will be held Thursday, August 9th from 5:30pm – 7:30pm at the Schorr Family Firehouse Stage.
- [2] The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, August 14, 2018 at 3:00pm at Johnson City Village Hall.
- [3] Johnson City Partners Cruze-In will be held from 5-8pm on Thurs., August 16th in the Village Hall Parking lot.
- [4] The next regular Village Board Meeting will be Tuesday, August 21, 2018 at 7:30pm with a work session at 5:30pm.

APPROVAL OF BOARD MINUTES

- [1] Minutes of July 17, 2018 regular meeting and work session.

A motion to approve the minutes was made by Trustee King and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

BIDS – None

PUBLIC HEARINGS

- [1] Local Law # 12-2018 Amending the Village Zoning Map – Rezone 59 Lester Avenue

Mayor Deemie opened the public hearing.

Sarah Campbell, attorney for the applicant explained the rezone. It is an affordable housing age restricted project. They have submitted a landscape plan. They need a substantial parking variance for parking requirements.

Mark Parker of Keystone showed the meeting attendees and the Board the rendering for the project and the landscaping plan.

Julie Deemie, Zoa Ave – She supports the rezoning

Mayor Deemie closed the public hearing.

PETITIONS RECEIVED– None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Julie Deemie, Zoa Ave – 59 Lester. Lights on the top of the building would make the building stand out. About 10-13 years ago a study was done by County – the plan for factory buildings was for utilizing the ground floor of 59 Lester Ave and mothballing the other floors. This has gone so far beyond the plan. We should look beyond the community. We have the opportunity to grow the population in Johnson City and we should be excited.

Corrina Johnson, Cook St – National Night Out – There will be a dunk tank, games and activities.

Julie Deemie, Zoa Ave – Report of CDGB – completed reviewing applications. The funding is up about \$70,000. A lot of money preallocated to Village of Endicott and Village of Johnson City for roadwork. The Town of Union is able to fund more, primarily to the non-profits. The local non-profits should be encouraged to apply.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS – None

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/Board Reports was made by Trustee King and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

[1] Minutes of the July 18, 2018 Town of Union Board Meeting.

DEPARTMENT REPORTS

A motion to accept and file the following Department Reports was made by Trustee Walker and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

[1] Fire Department Overtime Report for the weeks of July 12, 2018 – July 25, 2018

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #3 of the 2018 – 2019 fiscal bills, having been audited by the Board and approved, was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 579,877.66
WATER FUND	\$ 64,546.02
SEWER FUND	\$ 859,150.80
REFUSE FUND	\$ 32,187.77
JSTP	\$ 249,801.13

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

UNFINISHED BUSINESS

Resolution #2018 – 122

A motion to approve the following resolution was made by Trustee King and seconded by Trustee Walker.

WHEREAS, the Village of Johnson City scheduled a public hearing for July 17, 2018 at 7:35 p.m. for Local Law No. 12 of the year 2018 entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

WHEREAS, said public hearing was opened at Village Hall, 243 Main Street, Johnson City, New York on the 17th day of July, 2018 at 7:35 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, and the public hearing was closed on August 7, 2018; and

WHEREAS, the Planning Board of the Village of Johnson City, at its meeting on July 24, 2018, reviewed the entire project and considered the possible environmental impacts of the Local Law and determined that the project, including the Local Law, will not have a significant adverse impact on the environment, and the Planning Board adopted a negative declaration with respect to the same; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 12-2018 entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP”, a copy of which is attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

Discussion: Mayor Deemie explains it is in regard to the rezone of 59 Lester Ave.

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2018 – 137

A motion to accept an audit of the Village Court, completed by the Deputy Treasurer and Trustee Balles as required by the Uniform Justice Court Act, Section 2019-a for a period of one year ended December 31, 2017, and a report on the findings was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

Resolution #2018 – 138

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee King.

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 240 OF THE VILLAGE CODE ENTITLED ‘STREETS AND SIDEWALKS’” 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 August 21, 2018, 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.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

Resolution #2018 – 139

A motion to approve the following resolution was made by Trustee King and seconded by

Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

A RESOLUTION AUTHORIZING WATER TANK IMPROVEMENTS IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$963,766 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$963,766 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. Water tank improvements (Wren Street Tank 2), including costs incidental thereto, in and for the Village of Johnson City, Broome County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$963,766.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$963,766 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal

officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **This resolution is adopted subject to permissive referendum.**

Discussion: Mayor Deemie explains this is the second payment on the upgrades and rehabilitation of our two water tanks. It was a \$6,000,000 project.

Resolution #2018 – 140

A motion to approve the following resolution was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

BOND RESOLUTION DATED AUGUST 7, 2018.

A RESOLUTION AUTHORIZING SIDEWALK AND CURB IMPROVEMENTS IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$120,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$120,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. Sidewalk and curb improvements, including costs incidental thereto, in and for the Village of Johnson City, Broome County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$120,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$120,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such

publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **This resolution is adopted subject to permissive referendum.**

Discussion: Mayor Deemie explains this our yearly borrowing with regards to concrete for sidewalks and curbs in the Village.

Resolution #2018 – 141

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

BOND RESOLUTION DATED AUGUST 7, 2018.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A WATER MAINTENANCE BUILDING IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,718,950 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$537,950 SERIAL BONDS OF SAID VILLAGE TO PAY PART OF THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. The construction of a water maintenance building in and for the Village of Johnson City, Broome County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,718,950.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$537,950 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, and the expenditure of \$1,181,000 grants.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary

form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution is adopted subject to permissive referendum.

Discussion: Mayor Deemie explains this is our water maintenance building that was damaged in the flood. This is our cost of replacing the building. Trustee Walker states this was going to be paid with funding, but laws changed at the beginning of this year regarding environmental consideration/efficiencies.

Resolution #2018 – 142

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

BOND RESOLUTION DATED AUGUST 7, 2018.

A RESOLUTION AUTHORIZING THE PURCHASE OF HEAVY EQUIPMENT IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$277,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$277,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. The purchase of heavy equipment in and for the Village of Johnson City, Broome County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$277,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$277,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such

bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **This resolution is adopted subject to permissive referendum.**

Discussion: Mayor Deemie explains these bond resolutions are part of our borrowing we approved at budget time.

Resolution #2018 – 143

A motion to approve the following resolution was made by was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

BOND RESOLUTION DATED AUGUST 7, 2018.

A RESOLUTION AUTHORIZING THE RECONSTRUCTION/RESURFACING OF ROADS IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,610,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$1,610,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. The reconstruction/resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving rights-of-way and other improvements and costs incidental thereto, in and for the Village of Johnson City, Broome County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,610,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,610,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents,

and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **This resolution is adopted subject to permissive referendum.**

Discussion: Mayor Deemie explains this is for the reconstruction, resurfacing and engineering of Harry L Drive from Oakdale Road to the Village line and for Reynolds Road from Overbrook to the Village line. We borrow the money upfront for the project and 85% will be paid for through CHIPS funding and CDBG funding. Trustee King explains the costs.

Resolution #2018 – 144

A motion to approve the following resolution was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

BOND RESOLUTION DATED AUGUST 7, 2018.

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES AND TRUCKS IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$181,304, AND AUTHORIZING THE ISSUANCE OF \$181,304 BONDS OF SAID VILLAGE TO PAY THE COSTS THEREOF.

BE IT RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York, as follows:

Section 1. The purchase of police vehicles, including equipment (\$99,804) and trucks (\$81,500) in and for the Village of Johnson City, Broome County, New York is hereby authorized at a total maximum estimated cost of \$181,304 and the plan of financing thereof is by the issuance of \$181,304 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 4. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Village hereby designated for such purpose, together with a notice of the Village Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Resolution #2018 – 145

A motion to authorize the Mayor to enter into an agreement with “The Research Foundation for SUNY on behalf of the College of Brockport” to complete a feasibility study on CODE enforcement for the Village of Johnson City at a cost not to exceed \$20,000.00 dollars was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

Discussion: Trustee King wants to hold over, Mayor Deemie denies request. Trustee Walker discusses code issues and review of code. Mayor Deemie states we have recordings from previous meetings where all board members were in agreement with spending the \$20,000.

Resolution #2018 – 146

A motion to approve a request from the Binghamton Brewing Company to close Avenue B at Main Street, and Helen Drive on Friday, August 17, 2018 from 10:00pm – Saturday, August 18,

2018 at 12:00am for their annual anniversary celebration contingent upon the Village receiving proof of the required liability insurance, acceptable security/safety plans, receiving any required permits from the Alcoholic Beverage Control Board (ABC), completion of a Village Street Work Permit and all necessary Code Enforcement approvals was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

Resolution #2018 – 147

A motion to approve a request from the Johnson City Youth Baseball and Softball League to hold a benefit at Virginia Avenue Park on Friday, September 7, 2018 from 6:00pm – 10:00pm, Saturday, September 8, 2018 from 8:00am – 9:00pm and Sunday, September 9, 2018 from 12:pm – 8:00pm for the Taylor Family Benefit contingent upon the Village receiving proof of the required liability insurance listing the Village of Johnson City as an additional insured and the submission of acceptable security/safety plans was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) - No new business

POLICE (Trustees Balles & Walker)

Resolution #2018 – 148

A motion to approve a travel request for Lt. O’Hara to attend Conducting Proper & Effective Investigations Training from Sept. 17 – Sept. 21, 2018 in Farmington, CT at a cost of \$1,345.00 from budget line A3120.4.930 was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

Resolution #2018 – 149

A motion to approve a travel request for Officer Dylan Vandermark to attend the full basic training course for Police Officer from August 13 – December 21, 2018 at the Southern Tier Law Enforcement Academy at Corning Community College in Horseheads, NY at a cost of \$1,530.00 from budget line A3120.4.903 was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Giblin, King, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Balles)

PUBLIC WORKS (Trustees Balles & King)

Resolution #2018 – 150

A motion to forgive David Cohen the Department of Public Works fee of \$105.00 for excessive amount of garbage at 116 Charles Street was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

Ayes – 0 **Nays** – 4 (Giblin, King, Walker, Deemie) **Absent** – 1 (Balles)

RECREATION (Trustees Balles & King) - No new business

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

JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King) - No new business

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Corrina Johnson, Cook St. – Cruze-In is August 16th from 5-8pm. Why is SUNY Brockport doing the code study? Will it tell us that we should have kept code in the Village?

Mayor Deemie explains he called MRB group who do feasibility studies and they directed him to SUNY Brockport to a person who has done these studies before. He went and got a code enforcement expert to work with him to do this study. Is this the best way to do it now? What can we do to make it better? What is the best structure for the Village?

Trustee Giblin states this study will go over what has been addressed, how it has been addressed, the records and complaints that have been filed and will give us an analysis of how we could have done better, what we could have done differently and how to proceed.

Jeff Reed – The Village needs to lead by example and maintain their properties and buildings such as the DPW building and the Southside fire station.

Carol Laskowski – If you are planning to move code back, where are you going to put it?

Mayor Deemie states we are in the process of trying to find a location in the Village.

Ron Heebner, Riverside Drive – He asks about Resolution 143 and funding. He will push for the bus service to transfer routes wherever needed to accommodate the new building. He questions the type of clientele Attorney Campbell was discussing. What is going on with Floral Ave paving?

Mayor Deemie confirms the funding is federal, state and local. Mayor Deemie states the building is for market rate senior housing so they tend to only have one car.

Don Slota, Eldredge Ave – explains the parking spaces as discussed at the planning board meeting.

Jeff Reed – Repaving – What is the repaving status and why are we putting band-aids on things?

Mayor Deemie explains we will be paving Harry L. Drive from Oakdale Road west to the Town of Union. When a road is in need of repair, we may lay blacktop as a temporary remedy until the road can be completely repaired. It would take \$50 million to redo all the streets in the Village.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:25 pm.

Cindy Kennerup
Village Clerk/Treasurer

CK/kc

Recordings of the Village Board meetings and work sessions
are available for review through the Village Clerk/Treasurer's Office.