



# VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET • JOHNSON CITY, NY 13790

[www.villageofjc.com](http://www.villageofjc.com)

## Village Board

Martin Meaney, Mayor

Trustee John Walker

Trustee Clark Giblin

Trustee Adam Brown

Trustee Mary Jacyna

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## AGENDA—REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, February 21, 2023 @ 7:30pm

Village Hall, 243 Main Street, 1<sup>st</sup> Floor Training Room, Johnson City, NY

### ORDER OF BUSINESS

#### 1. *CALL TO ORDER*

#### 2. *PLEDGE OF ALLEGIANCE*

#### 3. MAYOR'S ANNOUNCEMENTS

- [3.1] The next Village Planning Board Meeting will be Tuesday, February 28, 2023 at 7:30pm with a work session at 7:00pm.
- [3.2] The next regular Village Board Meeting will be Tuesday, March 7, 2023 at 7:30pm with a work session at 5:30pm.

#### 4. APPROVAL OF BOARD MINUTES

- [4.1] February 7, 2023 Village Board Meeting and Work Session Minutes

#### 5. BIDS – None

#### 6. PUBLIC HEARINGS – None

#### 7. PETITIONS RECEIVED – None

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

#### 9. COMMUNICATIONS

- [9.1] Correspondence from Ali Fatin of 53 Cherry Street regarding refuse bill.
- [9.2] Correspondence from Mary Malenda of 3 Beverly Place regarding water bill shutoff notice.
- [9.3] Correspondence from Seemab Anwar of 52 Cherry Street regarding refuse bill.
- [9.4] Correspondence from Johnson City Rotary regarding document shredding event.

#### 10. COMMITTEE/BOARD REPORTS

- [10.1] JSB update on FEMA/NYS-DHSES Reimbursement Grant Funding Status

#### 11. DEPARTMENT REPORTS

- [11.1] Police Department Overtime Report for the weeks of February 2, 2023 – February 15, 2023.

**12. PAYROLL AND BILLS PRESENTED**

Abstract #16 of the 2022 - 2023 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$245,473.62
WATER FUND	\$26,851.35
SEWER FUND	\$34,307.10
REFUSE FUND	\$27,712.50
JSTP	\$0
VARPUR	\$30,594.90
CAPITAL	\$0
DEBT SERVICE	\$0

**13. UNFINISHED BUSINESS** – None

**14. NEW BUSINESS**

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

**Resolution 37 of 2023**

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 164 OF THE VILLAGE CODE ENTITLED ‘HISTORIC PROTECTION DISTRICTS’” 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 **7:30 p.m. on March 21, 2023**; 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 38 of 2023**

REFUNDING BOND RESOLUTION DATED FEBRUARY 21, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 AND/OR 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS”, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the Village of Johnson City, Broome County, New York (hereinafter, the “Village”) heretofore issued \$6,985,000 General Obligation Refunding (Serial) Bonds, 2013, to pay the cost of various capital projects in and for said Village, as further described in the bond determinations certificate of the Village Treasurer dated January 8, 2013 (hereinafter referred to as the “2013 Refunded Bond Certificate”), such General Obligation Refunding (Serial) Bonds, 2013, being dated January 8, 2013 with remaining

maturities on May 15 in the years 2023 through 2031, both inclusive, as more fully described in the 2013 Refunded Bond Certificate (the “2013 Refunded Bonds”); and

WHEREAS, the Village also heretofore issued \$1,073,100 Public Improvement (Serial) Bonds, 2014, to pay the cost of various capital projects in and for said Village, as further described in the bond determinations certificate of the Village Treasurer dated October 9, 2014 (hereinafter referred to as the “2014 Refunded Bond Certificate”), such Public Improvement (Serial) Bonds, 2014, being dated October 9, 2014 with remaining maturities on October 1 in the years 2023 through 2034, both inclusive, as more fully described in the 2014 Refunded Bond Certificate (the “2014 Refunded Bonds”); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the 2013 Refunded Bonds and the 2014 Refunded Bonds (the “Refunded Bonds”) by the issuance of refunding bonds pursuant to Section 90.00 and/or 90.10 of the Local Finance Law; and

WHEREAS, such refunding will result in present value savings in debt service as required by Section 90.00 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Johnson City, Broome County, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds described above, including providing moneys which, together with the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$4,200,000 refunding serial bonds of the Village pursuant to the provisions of Section 90.00 and/or 90.10 of the Local Finance Law (the “Refunding Bonds”), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$3,700,000, as provided in Section 4 hereof. The Refunding Bonds shall each be designated substantially “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND” together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-23 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Village Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a

single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Village Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Village by lot in any customary manner of selection as determined by the Village Treasurer. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the Village shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Village clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the Village maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Village Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Village Treasurer as fiscal agent of the Village for the Refunding Bonds (collectively the “Fiscal Agent”).

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Village Treasurer, as chief fiscal officer of the Village, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said Village, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Village, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Village Treasurer is also hereby authorized to name the Village Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The Village Treasurer is hereby further delegated all powers of this Board of Trustees with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the Village by the manual or facsimile signature of the Village Treasurer, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by Section 90.00 of the Local Finance Law and 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. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

- (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.00 or 90.10 of the Local Finance Law;
- (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified in the 2013 and 2014 Refunded Bond Determinations Certificates which are incorporated herein by reference;
- (c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the class of objects or purposes for which said Refunded Bonds were issued in accordance with Section 90.00 and 90.10 of the Local Finance Law;
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the “Refunding Financial Plan”), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the

aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in a single series to refund all of the Refunded Bonds in the principal amount of \$3,700,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Board of Trustees recognizes that the Refunding Bonds may be issued in series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Village will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Village Treasurer is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Village Treasurer. The Village Treasurer shall file a copy of his certificates determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Village Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Village Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Village Treasurer shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in the Local Finance Law.

Section 6. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding 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 be annually levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the Village to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be

valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Village irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Village shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and Section 90.00 and 90.10 of the Local Finance Law, in the event such bonds are refunded, the Village hereby elects to call in and redeem each of Refunded Bonds which the Village Treasurer shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, if any, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Village in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to Roosevelt & Cross, Incorporated (the “Underwriter”) for purchase prices to be determined by the Village Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds.

Section 11. The Village Treasurer and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Village Treasurer and all powers in connection thereof are hereby delegated to the Village Treasurer.

Section 13. The validity of the Refunding Bonds 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 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper of said Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Resolution 39 of 2023**

Forgive refuse bill in the amount of \$250.00 to Ali Fatin, 53 Cherry Street, Johnson City.

**Resolution 40 of 2023**

Forgive refuse bill in the amount of \$250.00 to Seemab Anwar, 52 Cherry Street, Johnson City.

**Resolution 41 of 2023**

Authorize the Johnson City Rotary and Your Home Public Library to hold a document shredding event open to the public on Saturday, April 29, 2023 from 9am – 11am in the library parking lot. The Johnson City Rotary and Rogers Service Group, Inc., the company providing the shredding will provide the Village with a copy of their liability insurances naming the Village as an additional insured.

**Resolution 42 of 2023**

Reimburse Maura Corry of 50 Margaret Street \$150.00 for a water turn on fee that was charged in error.

**PUBLIC SAFETY**

**FIRE** – No new business

**POLICE** – No new business

**PUBLIC WORKS**

**Resolution 43 of 2023**

Authorize the Director of Public Services to sign a proposal from Delta Engineers, Architects, & Surveyors to Provide Professional Engineering Services for the Miriam Street Water Main Replacement Project for a Lump Sum Fee of \$17,060.

**Resolution 44 of 2023**

Motion to authorize Josh Holland or his designee to execute and Agreement between the Village of Johnson City and Norfolk Southern Railway Company regarding the Lester Avenue Overhead Bridge project and Village access thereto- subject to approval of legal counsel.

**RECREATION** – No new business

**PLANNING, ZONING & CODE ENFORCEMENT** – No new business

**JOINT SEWAGE TREATMENT BOARD**

**Resolution 45 of 2023**

Approve the Binghamton-Johnson City Joint Sewage Board’s request that the Owners pass legislation to amend the 2023 Budget to increase Personal Services - Hourly by \$9,376, increase State Retirement - Hourly by \$1,033.00, Social Security - Hourly by \$718.00 and reduce Contingency by \$11,127.00 (Attached).

**Resolution 46 of 2023**

Approve the Binghamton-Johnson City Joint Sewage Board’s request that the Owners pass legislation to amend the 2023 Budget by increasing Personal Services - Hourly and related State Retirement and tax lines and decreasing the Salary Adjustment line per the attached.

**Resolution 47 of 2023**

Approve the Binghamton-Johnson City Joint Sewage Board’s request that the Owners pass legislation to amend the 2022 Budget to increase the appropriations on the Water line (J8130.54221) by \$3,568.67 with a corresponding reduction in Contingency (J8130.55000).

**Resolution 48 of 2023**

Approve the Binghamton-Johnson City Joint Sewage Board’s request that the Owners pass legislation to amend the 2022 Budget to increase the appropriations on the Reimb Vill Local Sys Cost line (J8130.54000.JG) by \$117,745.38 with the corresponding \$117,745.38 taken from Reimb Village - Debt Svc Pmts line (J8130.54001.JG).

**15. ADJOURNMENT**

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

*Mayor Martin Meaney - jcmayor@villageofjc.com*

*Trustee John Walker - jwalker@villageofjc.com*

*Trustee Clark Giblin – cgiblin@villageofjc.com*

*Trustee Adam Brown – abrown@villageofjc.com*

*Trustee Mary Jacyna – mjacyna@villageofjc.com*

**VILLAGE OF JOHNSON CITY  
LOCAL LAW NO. \_\_\_ FOR THE YEAR 2023**

**A LOCAL LAW AMENDING CHAPTER 164 OF THE VILLAGE CODE  
ENTITLED “HISTORIC PROTECTION DISTRICTS”**

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

Section 1. Section 164-2B entitled “Definitions” shall hereby be amended as follows:

**HISTORIC DISTRICT OR AREA**

An area which contains improvements which:

- (1) Are located in the Johnson City National Historic District;
- (2) Have special character or special or aesthetic interest or value;
- (3) Represent one or more periods or styles of architecture, typical of one or more eras in the history of the Village of Johnson City; and
- (4) Cause such an area, by reason of such factors, to be a visibly perceptible and definable section of the Village.

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.

**Proposed Revenue and Expense accounts for 2023 Budget Amendment for Personal Services**

Increase	Decrease	<b>Ledger Account</b>	<b>Account Title</b>
\$ 9,376.00		ES8130.51000.JS2HR	Personal Services - Hourly
\$ 1,033.00		ES9010.58000A.JS2HR	State Retirement - Hourly
\$ 718.00		ES9010.58000B.JS2HR	Social Security - Hourly
	\$ 11,127.00	J8130.55000	Contingency

1/24/2023

... the Joint Sewage Board Fiscal Officer is authorized and directed to transfer:

\$	16,754.00	from 2023 Joint Sewage Board Appropriations budget line ES8130.51699.JS2HR ("Salary Adjustment – Hourly")
\$	<u>16,754.00</u> ✓	("from" subtotal)

in the following amounts to the following 2023 Joint Sewage Board Appropriations budget lines:

\$	11,325.00	to ES8130.51000.JS2HR ("Personal Services - Hourly"), and
\$	2,883.00	to ES9010.58000A.JS2HR ("State Retirement - Hourly"), and
\$	867.00	to ES9030.58000B.JS2HR ("Social Security - Hourly"), and
	n/a (<0)	to ES9040.58000D.JS2HR ("Workers Compensation - Hourly"), and
\$	1,016.00	to ES8089.58100.JS2HR ("Sick Time Buy-Back - Hourly"), and
\$	663.00	to ES8089.58101.JS2HR ("Vacation Buy-Back - Hourly").
\$	<u>16,754.00</u> ✓	("to" subtotal)

and modify the affected sub-line detail under budget line ES8130.51000.JS2HR ("Personal Services - Hourly") in the 2023 Joint Sewage Board Appropriations budget, as follows:

<u>Job Title</u>	<u>as Adopted (includes 2 pending Budget Amendments)</u>	<u>sub-line subtotal</u>	<u>Modify to Read</u>	<u>modified sub-line subtotal</u>
Shift Lead Operator -	3 @ up to \$32.08/hr - 1.00 @ 200,180.00	\$ 200,180.00	3 @ up to \$32.26/hr - 1.00 @ 201,303.00	\$ 201,303.00
Operator III -	2 @ up to \$30.64/hr - 1.00 @ 127,463.00	\$ 127,463.00	2 @ up to \$30.81/hr - 1.00 @ 128,170.00	\$ 128,170.00
*** (note: 6 Operator III positions approved, but 4 positions unfunded for 2023 [including 1 unfunded by pending {as of 01/20/2023} Budget Amendment retroactively effective at the start of the year]) ***				
Operator II -	3 @ up to \$28.57/hr - 1.00 @ 173,910.00	\$ 173,910.00	3 @ up to \$28.73/hr - 1.00 @ 179,276.00	\$ 179,276.00
*** (note: 4 Operator II positions approved, but 1 position unfunded for 2023 [including 1 that was added-back by pending {as of 01/20/2023} Budget Amendment retroactively effective at the start of the year]) ***				
Operator I / Operator Trainee -	9 @ up to \$27.12/hr - 1.00 @ 482,663.00	\$ 482,663.00	9 @ up to \$27.27/hr (for Operator I), and / or @ up to \$26.72/hr (for Operator Trainee) - 1.00 @ 480,631.00	* \$ 480,631.00
Maintainer -	1 @ up to \$26.57/hr - 1.00 @ 55,266.00	\$ 55,266.00	1 @ up to \$26.72/hr - 1.00 @ 55,578.00	\$ 55,578.00
Motor Equipment Operator – WWTP -	2 @ up to \$27.14/hr - 1.00 @ 112,903.00	\$ 112,903.00	2 @ up to \$27.29/hr - 1.00 @ 113,527.00	\$ 113,527.00
Laboratory Technician -	2 @ up to \$28.87/hr - 1.00 @ 120,100.00	\$ 120,100.00	2 @ up to \$29.03/hr - 1.00 @ 120,765.00	\$ 120,765.00
CMMS Clerk -	1 @ up to \$30.94/hr - 1.00 @ 64,356.00	\$ 64,356.00	1 @ up to \$31.12/hr - 1.00 @ 64,730.00	\$ 64,730.00
Mechanic -	4 @ up to \$29.92/hr - 1.00 @ 248,935.00	\$ 248,935.00	4 @ up to \$30.09/hr - 1.00 @ 250,349.00	\$ 250,349.00
Mechanic's Assistant -	3 @ up to \$26.57/hr - 1.00 @ 165,797.00	\$ 165,797.00	3 @ up to \$26.72/hr - 1.00 @ 166,733.00	\$ 166,733.00
Building Maintenance Helper -	2 @ up to \$18.13/hr - 1.00 @ 75,421.00	\$ 75,421.00	2 @ up to \$18.23/hr - 1.00 @ 75,837.00	\$ 75,837.00
Electrician -	1 @ up to \$29.92/hr - 1.00 @ 62,234.00	\$ 62,234.00	1 @ up to \$30.09/hr - 1.00 @ 62,588.00	\$ 62,588.00
Electrician's Helper -	1 @ up to \$27.87/hr - 1.00 @ 57,970.00	\$ 57,970.00	1 @ up to \$28.03/hr - 1.00 @ 58,303.00	\$ 58,303.00
Instrumentation Technician -	2 @ up to \$29.92/hr - 1.00 @ 124,468.00	\$ 124,468.00	2 @ up to \$30.09/hr - 1.00 @ 125,175.00	\$ 125,175.00
Account Clerk / Typist -	3/26ths @ up to \$18.71/hr - 1.00 @ 4,491.00	\$ 4,491.00	3/26ths @ up to \$18.82/hr - 1.00 @ 4,517.00	\$ 4,517.00
*** (note: position being defunded after February 3, 2023 [per pending {as of 01/20/2023} Budget Amendment creating <u>Salaries</u> Confidential Sr. Account Clerk effective February 4, 2023]) ***				
(no modifications are proposed to any other sub-lines to line ES8130.51000.JS2HR ["Personal Services - Hourly"] in the 2023 Joint Sewage Board Appropriations budget) - the following lines remain unchanged:				
Shift Differential (12 employees) -	1.00 @ \$39,936.00 - 1.00 @ 39,936.00	\$ 39,936.00	1.00 @ \$39,936.00 - 1.00 @ 39,936.00	\$ 39,936.00
Longevity -	1.00 @ \$15,400.00 - 1.00 @ 15,400.00	\$ 15,400.00	1.00 @ \$15,400.00 - 1.00 @ 15,400.00	\$ 15,400.00
<b>(as amended) TOTAL FOR ES8130.51000.JS2HR ("Personal Services - Hourly")</b>		<b>\$ 2,131,493.00</b>	<b>REVISED TOTAL FOR ES8130.51000.JS2HR</b>	<b>\$ 2,142,818.00</b>
			<b>net increase for Line ==&gt;</b>	<b>\$ 11,325.00</b>

\* - per CBA §8.1.3, not all positions @ top rate during 2023 (<36 months' service)