



# 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

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### Minutes of the Village of Johnson City Budget Meeting #6 held on Wednesday, April 5, 2017 in the Municipal Building, 243 Main St., Johnson City

Present:            Gregory Deemie, Mayor  
                      Richard Balles, Trustee  
                      Martin Meaney, Trustee  
                      John Walker, Trustee

Absent:            Bruce King, Deputy Mayor

Also Present:    Cindy Kennerup, Clerk/Treasurer

Mayor Deemie called Budget Meeting #6 to order at 6:00 pm.

#### **ORDER OF BUSINESS:**

##### **Resolution #2017 - 59**

A motion to adopt the following resolution was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

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

RESOLUTION OF THE VILLAGE OF JOHNSON CITY, NEW YORK, ADOPTED APRIL 5, 2017, AMENDING THE BOND RESOLUTION ADOPTED APRIL 17, 2001 AND HERETOFORE AMENDED ON APRIL 6, 2004, SEPTEMBER 19, 2006, JUNE 28, 2012 and NOVEMBER 17, 2015

#### Recitals

WHEREAS, on April 17, 2001, the Board of Trustees of the Village of Johnson City, in the County of Broome, New York, has duly authorized the construction of various improvements to the sewage treatment plant located in the Town of Vestal, New York and jointly owned by the Village and the City of Binghamton (the “City”), at the estimated total cost of \$40,203,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Board of Trustees on April 17, 2001;

WHEREAS, on April 6, 2004 the Board of Trustees determined that the estimated total cost of such project was \$52,000,000 and said amount was appropriated therefor pursuant to a bond resolution adopted by said Board of Trustees on April 6, 2004 as an amendment to the prior bond resolution adopted on April 17, 2001;

WHEREAS, on September 19, 2006 the Board of Trustees determined that the estimated total cost of such project was \$67,000,000 and said amount was appropriated therefor pursuant to a bond resolution adopted by said Board of Trustees on September 19, 2006 as an amendment to the prior bond resolution adopted on April 17, 2001 and amended on April 6, 2004;



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WHEREAS, on June 28, 2012 the Board of Trustees determined that the estimated total cost of such project was \$131,000,000 and said amount was appropriated therefor pursuant to a bond resolution adopted by said Board of Trustees on June 28, 2012 as an amendment to the prior bond resolution adopted on April 17, 2001 and amended on April 6, 2004 and September 19, 2006; and

WHEREAS, on November 17, 2015 the Board of Trustees determined that the estimated total cost of such project was \$330,000,000 and said amount was appropriated therefor pursuant to a bond resolution adopted by said Board of Trustees on November 17, 2015 as an amendment to the prior bond resolution adopted on April 17, 2001 and amended on April 6, 2004, September 19, 2006 and June 28, 2012; and

WHEREAS, it has now been determined that the estimated total cost of the project is \$365,000,000 and it is in the best interests of the Village to further amend said bond resolution to reflect such increased cost and to authorize the issuance of additional serial bonds to finance the Village's local share of such cost;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JOHNSON CITY, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of said Village duly adopted by the Board of Trustees on April 17, 2001 and heretofore amended on April 6, 2004, September 19, 2006, June 28, 2012 and November 17, 2015, entitled:

“BOND RESOLUTION OF THE VILLAGE OF JOHNSON CITY, NEW YORK, ADOPTED APRIL 17, 2001, AMENDED APRIL 6, 2004 AND FURTHER AMENDED SEPTEMBER 19, 2006, JUNE 28, 2012 AND NOVEMBER 17, 2015, AUTHORIZING CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE SEWAGE TREATMENT PLANT (PHASE V) LOCATED IN THE TOWN OF VESTAL, NEW YORK AND JOINTLY OWNED BY THE VILLAGE OF JOHNSON CITY AND THE CITY OF BINGHAMTON; STATING THE ESTIMATED TOTAL COST THEREOF IS \$330,000,000; APPROPRIATING \$149,160,000 TO PAY THE VILLAGE'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$149,160,000 BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF JOHNSON CITY, NEW YORK, ADOPTED APRIL 17, 2001, AMENDED APRIL 6, 2004 AND FURTHER AMENDED SEPTEMBER 19, 2006, JUNE 28, 2012, NOVEMBER 17, 2015 AND APRIL 5, 2017, AUTHORIZING CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE SEWAGE TREATMENT PLANT (PHASE VI) LOCATED IN THE TOWN OF VESTAL, NEW YORK AND JOINTLY OWNED BY THE VILLAGE OF JOHNSON CITY AND THE CITY OF BINGHAMTON; STATING THE ESTIMATED TOTAL COST THEREOF IS \$365,000,000; APPROPRIATING \$164,980,000 TO PAY THE VILLAGE'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$164,980,000 BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION





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### Recital

WHEREAS, the Board of Trustees of the Village of Johnson City (the “Village”) has determined that it is in the best interests of the Village to construct various improvements to the sewage treatment plant located in the Town of Vestal, New York (the “City”) and jointly owned by the Village and the City, such improvements having been mandated pursuant to Consent Orders of the New York State Department of Environmental Conservation, heretofore served upon the Village, the City and the Binghamton-Johnson City Joint Sewage Board;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JOHNSON CITY, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Johnson City, in the County of Broome, New York, is hereby authorized to construct various improvements to the sewage treatment plant (Phase VI) located in the Town of Vestal, New York and jointly owned by the Village and the City, such improvements having been mandated pursuant to Consent Orders of the New York State Department of Environmental Conservation, heretofore served upon the Village, the City and the Binghamton-Johnson City Joint Sewage Board. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$365,000,000. The amount of \$164,980,000 is hereby appropriated by the Village to pay the Village’s local share of such cost. The plan of financing includes the issuance of not to exceed \$164,980,000 bonds of the Village to finance the amount appropriated to pay the Village’s local share of such cost, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. The \$200,020,000 balance of the estimated cost of the project is expected to be paid by the City’s expenditure of \$200,020,000 City funds to pay the City’s local share of the cost of the project, which amount is expected to be financed by the expenditure of grant funds received or expected to be received by the City and the issuance of bonds of the City. The respective amounts to be paid by the Village (45.2%) and the City (54.8%) for such project shall be determined pursuant to the proportions established under the existing Binghamton-Johnson City Joint Sewage Treatment Facilities Intermunicipal Agreement No. X between the Village and the City. Sewer rents have been imposed in the Village and it is expected that such rents will continue to be imposed and collected by the Village and the amounts derived therefrom shall be budgeted and used as an offset to the taxes to be levied and collected.

Section 2. Bonds of the Village in the principal amount of not to exceed \$164,980,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the bonds herein authorized, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.





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Section 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes, and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 7. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such 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
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "PRESS & SUN BULLETIN," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

There were comments from both trustees Meaney and Walker pertaining to why this resolution was necessary in order to amend the original resolution because of the mandates from EFC and the scope of the Joint Sewage Project.



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**Budget adjustments made – Meeting #6:**

**GENERAL FUND**

<u>LINE ITEM #</u>	<u>AMOUNT \$</u>	<u>BONDING</u>	<u>REVENUE LN #</u>	<u>AMOUNT \$</u>
A1620.4.450	\$13,000.00			
A1620.4.562	\$60,898.33			
A3120.2.310	-\$6,200.00	-\$6,200.00		
A3120.2.311		-\$1,800.00		
A3310.4.211	\$3,119.00			
A3410.1	\$190,000.00			
A3410.2.260	\$58,000.00			
A3410.2.261	\$1,200,000.00	\$1,200,000.00		
A3410.4.141	-\$100.00		A5731	\$1,192,000.00
A5410.4.214	\$30,000.00			
	<b>\$1,548,717.33</b>	<b>\$1,192,000.00</b>		<b>\$1,192,000.00</b>

**SEWER FUND**

<u>LINE ITEM #</u>	<u>AMOUNT \$</u>	<u>BONDING</u>
G8120.2.262	-\$800.00	
G8120.4.010	-\$10,000.00	
G8120.4.101	-\$1,000.00	
G8120.4.264	-\$1,000.00	
G8120.2.665	\$66,000.00	
	<b>\$53,200.00</b>	

**REFUSE FUND**

<u>LINE ITEM #</u>	<u>AMOUNT \$</u>	<u>BONDING</u>
EM8160.4.240	-\$5,000.00	
EM8160.4.254	-\$4,000.00	
EM8160.4.615	-\$300.00	
EM818160.2.405		
	<b>-\$9,300.00</b>	

**WATER FUND**

<u>LINE ITEM #</u>	<u>AMOUNT \$</u>	<u>BONDING</u>
F8340.2.403		
F8340.4.624		
F8340.4.644		\$2,800,000.00
		<b>\$2,800,000.00</b>



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The Mayor gave everyone a grant report from the Grant writer.

Year to date payroll and overtime information and postage year to date was provided per Trustee request.

The Mayor read the public hearing notice as it would be published for the public hearing of 4/13/2017.

Schedule of meetings: 4/10/17 @ 6:00pm  
4/13/17 @ 7:30pm Public Hearing

Meeting closed.

### ADJOURNMENT

Mayor Deemie adjourned the meeting at 9:00pm.

Cindy Kennerup  
Village Clerk/Treasurer

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