



# 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 a Regular Meeting of the Johnson City Village Board held on Tuesday, May 16, 2017 in the Municipal Building, 243 Main St., Johnson City

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

Absent:            None

Also Present:    Cindy Kennerup, Village Clerk/Treasurer  
                      Jeff Jacobs, Attorney for the Village

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

#### MAYOR'S ANNOUNCEMENTS

- [1] Moment of silence in memory of Lt. Markus Smith
- [2] The next regular Village Board Meeting will be Tuesday, June 20, 2017 at 7:30pm with a work session at 5:30pm.
- [3] Free Electronics collection for Village residents will be held on Saturday, May 20<sup>th</sup> from 7am – 11am at the DPW garage, 124 Brown Street.
- [4] Village Offices will be closed on Monday, May 29<sup>th</sup> in observance of Memorial Day.
- [5] Johnson City Partners Cruze-Inz will be held from 5-8pm on Thurs., May 18<sup>th</sup> in the Village Hall Parking lot.
- [6] There will only be one Village Board meeting in the months of June (6/20) & July (7/18).

#### APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the May 2, 2017 regular meeting and work session was made by Trustee Meaney and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

#### BIDS

- [1] Bids were opened and read at 10:00am on Thursday, May 11, 2017 at Village Hall for the Village's Curb and Gutter and Sidewalk Replacement Contract as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Tre-Gen	\$160,818.00
G. DeVincentis	\$172,500.00
Torto Construction	\$174,800.00



## VILLAGE OF JOHNSON CITY

**PUBLIC HEARINGS** - None

**PETITIONS RECEIVED** - None

### **PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the first privilege of the floor.

*Andy Stasko, Jay St.* – Spoke about blighted properties on Jay Street and Louise Street and downtown. He feels like no one is doing anything about them. Property values are being degrading. Also commented on the increase in traffic on Jay Street including large tractor trailers. Mr. Stasko explained that there is a dog issue at a house on Louise Street. The barking is constant. He called the Police and they said he had to call dog control. He spoke to dog control and got nothing, He spoke to Supervisor Sotak and got nothing.

Mayor Deemie closed the first privilege of the floor.

### **COMMUNICATIONS**

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

- [1] Notice of the May 18, 2017 meeting of the Broome County Assoc. of Municipal Clerks
- [2] Notice of Liquor License renewal for P & K Corp of Broome County (Manley’s) at 66 North Broad Street.

### **COMMITTEE/BOARD REPORTS**

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

- [1] Minutes of the May 3, 2017 work session of the Town of Union Board
- [2] Minutes of the May 3, 2017 regular meeting of the Town of Union Board

### **DEPARTMENT REPORTS**

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

- [1] Department of Public Works Monthly Report – April 2017
- [2] Fire Department Overtime Report for the week of April 20, 2017 – May 3, 2017

### **PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #21 of the 2016 - 2017 fiscal bills, having been audited by the Board and approved, was made by Trustee Walker and seconded by Trustee Balles.

GENERAL FUND	\$ 1,560,603.49
WATER FUND	\$ 482,612.30
SEWER FUND	\$ 335,262.30
REFUSE FUND	\$ 233,796.20
JSTP	\$ 120,040.09
VARPUR	\$ 790,890.09



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**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

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

**Resolution #2017 - 84**

A motion to authorize the Village Treasurer to make all budgetary adjustments to balance all Village operating accounts for the fiscal year ending May 31, 2017 was made by Trustee King and seconded by Trustee Meaney.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

**Resolution #2017 - 85**

Adopt the following resolution:

*STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”)*

*DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE - NEGATIVE DECLARATION*

*WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless (“Verizon Wireless”) proposes to construct and operate a wireless telecommunications facility (the “Project”) pursuant to a License Agreement (the “License”) with the Village of Johnson City (the “Village”), pertaining to property located in the right-of-way known as Harrison Street, Village of Johnson City, County of Broome, State of New York (the “Property”); and*

*WHEREAS, representatives of Verizon Wireless previously met with Village officials to discuss the Project and the License; and*

*WHEREAS, the Village Board of the Village of Johnson City (the “Board”) is fully familiar with the Property and the surrounding area; and*

*WHEREAS, the Project and License are Type I actions under SEQRA and the Board is the only involved agency and, therefore, the Lead Agency; and*

*WHEREAS, the Board has reviewed the Project, the License and all other materials submitted in connection therewith.*

*NOW, THEREFORE, be it resolved by the Board that:*

*Based upon the Board’s thorough and careful review of the Project, the License, and all other materials submitted in connection therewith, the Board hereby determines that the Project and the License will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA.*

*REASONS SUPPORTING THE NEGATIVE DECLARATION:*

- 1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. The Project will produce minimal, if any, disturbance of soil and vegetation, with minimal storm run-off.*
- 2. Aesthetics, Agriculture, Archaeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect*



## VILLAGE OF JOHNSON CITY

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- agricultural, archaeological, historical, natural, or cultural resources. The Project is a public utility which must be located as and where necessary to provide essential wireless telecommunications service. Although a facility of this nature will be visible, its overall visibility (as a utility pole) will be minimized to the maximum extent possible.*
3. *Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species. No plant or animal life will be adversely affected by the Project.*
  4. *Community Plans, Use of Land or Natural Resources. The License and the Project is in keeping with the official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.*
  5. *Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.*
  6. *Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.*
  7. *Critical Environmental Area. The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14(g).*
  8. *Public Health and Safety. The Project will have no adverse impacts on the public health. The Board recognizes that the Project will enable Verizon Wireless to provide reliable wireless telecommunications service to the Village, enabling individuals, businesses and emergency service providers access to this essential service. The Project will promote the general health, safety and welfare of the citizens of the Village by providing access to a modern, reliable system of wireless telecommunications service.*

*Further, the Board finds that none of the criteria for determining significance set forth in § 617.7(c)(1)(i)-(xii) would be implicated as a result of this Project.*

*Notice of this determination of non-significance shall be filed to the extent required by the applicable regulations under SEQRA and as may be deemed advisable by the Board.*

### **Resolution #2017 – 85 was held over by Trustee Meaney**

#### **Resolution #2017 - 86**

Authorize the approval of a license for a Wireless Telecommunications Facility on Village property.

*WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless (“Verizon Wireless”) proposes to construct and operate a wireless telecommunications facility on property to be licensed from the Village of Johnson City (the “Village”), pursuant to that certain License Agreement between the Village and Verizon Wireless (the “License”), and located in the right-of-way known as Harrison Street, in the Village of Johnson City, County of Broome, State of New York (the “Property”); and*

*WHEREAS, the facility consists of ground space for a utility pole and communications facility on the Property for the installation of Verizon Wireless’ equipment and associated appurtenances (the “Project”), as more particularly shown on the License Exhibit attached to the License as Exhibit “A”; and*



## VILLAGE OF JOHNSON CITY

WHEREAS, the Village Board may approve the License pursuant to Village Law §1-102(1); and

WHEREAS, the premises to be licensed to Verizon Wireless are not needed for Village purposes; and

WHEREAS, the Village Board has determined that entering the License is in the best interests of the Village; and

WHEREAS, the Village Board has determined that the rent to be paid by Verizon Wireless is of fair market value; and

WHEREAS, in connection with the License, the Village Board has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project and the License pursuant to the State Environmental Quality Review Act ("SEQRA") and on May 16, 2017 duly issued a Negative Declaration pursuant thereto; and

WHEREAS, the Village Board has reviewed the Project, the License and all other materials submitted in connection therewith; and

WHEREAS, the Village Board met on May 16, 2017 to consider the License.

NOW, THEREFORE BE IT RESOLVED that:

1. The Village Board hereby authorizes the Mayor to execute the License, substantially in the form presented to the Village Board, to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on the Property for an initial term of 5 years with up to 4 additional 5 year renewal terms as described in the License; and for an initial annual rent of \$3,600.00 with 10% increases every 5 years; and for such other terms and conditions as agreed upon by the Village and Verizon Wireless.
2. The Village Board finds that entering the License is in the best interest of the Village and surrounding community because, among other things, the Project will provide an essential service to the Village and the public in general and will have no adverse effect on the health, safety or welfare of the public.

**Resolution #2017 – 86 was held over by Trustee Meaney**

### **Resolution #2017 - 87**

A motion to authorize the advertisement of bids for repairs to the George Korutz Justice Building roof was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

**Ayes – 5 (Meaney, King, Walker, Balles, Deemie) Nays – 0 Absent – 0**

### **Resolution #2017 - 88**

A motion to authorize the advertisement of bids for the Village Hall Heating, Ventilation & Air Conditioning (HVAC) system replacement was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried - Vote:

**Ayes – 5 (Meaney, King, Walker, Balles, Deemie) Nays – 0 Absent – 0**



## VILLAGE OF JOHNSON CITY

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### **Resolution #2017 - 89**

A motion to authorize a parade permit to be issued to the VFW Alfred & Henry Michalovic Post 2332 and the Frank A. Johnson American Legion Post 758 to hold a Memorial Day Parade on May 29, 2017 starting at 10:00am at Ozalid Road to Main Street traveling west to the Gazebo for a formal ceremony subject to providing the appropriate liability insurance and coordination with the Village Police Department and the Department of Public Works was made by Trustee Meaney and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

### **Resolution #2017 - 90**

A motion to accept the donation of a bicycle rack to the Your Home Public Library from the Southern Tier Bicycle Club with the type of stand to be approved by the Library Board was made by Trustee Walker and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

### **Resolution #2017 - 91**

A motion to authorize withdrawing from the agreement for plumbing licensing testing services between the City of Binghamton, Village of Endicott and the Village of Johnson City was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

*WHEREAS, Chapter 200, Article II (Sections 200-18 through Section 200-34) governs Examination, Licensing and Registration of Plumbers within the Village of Johnson City; and*

*WHEREAS, On or about June 25, 1997, January 16, 1997 and January 7, 1997, the City of Binghamton, Village of Endicott and Village of Johnson City, respectfully, executed an “agreement for Plumbing Licensing Testing Services Between the City of Binghamton, Village of Endicott and the Village of Johnson City (the “Testing Agreement”); and*

*WHEREAS, The Testing Agreement provides for rotating the plumbing examination between the municipalities and each plumbing board shall meet jointly to review testing applicants and at least seven (7) days prior to any scheduled test each board of plumbing examiners shall provide the examining municipality with a list of all eligible applicants; and*

*WHEREAS, Section 4 of the Testing Agreement provides that the “Master examination shall consist of two parts, both written; part one consisting of FIFTY (50) questions and part two of a DIAGRAM; and*

*WHEREAS, The City of Binghamton, Village of Endicott and Village of Johnson City are no longer a) meeting on a regular basis to update the plumbing test, b) rotating testing responsibilities or 3) utilizing the same test or testing regime; and*

*WHEREAS, Section 15 of the Testing Agreement provides that plumbers licensed by one municipality will be recognized by the other municipalities as long as Binghamton, Endicott*



## VILLAGE OF JOHNSON CITY

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and Johnson City agree to “jointly review, test and set common standards as to the licensing of plumbers.”; and

WHEREAS, Binghamton, Endicott and Johnson City are not currently jointly reviewing, testing and setting common standards as to the licensing of plumbers; and

WHEREAS, the Village Board of Trustees determines that for the benefit of the health safety and welfare of the Village of Johnson City residents that the Village of Johnson City hereby withdrawals from the Testing Agreement as of May 17, 2017; and

WHEREAS, the Village Board of Trustees hereby determines that as of May 17, 2017 the Village of Johnson City reciprocal plumbing licenses shall no longer be issued by the Village of Johnson City; and

WHEREAS, all plumbing licenses issued by the Village of Johnson City through May 17, 2017 pursuant to the Testing Agreement and Section 200 of the Village of Johnson City Code are grandfathered, remain valid and shall continue to be recognized by the Village in accordance with Section 200 of the Village Code until the plumbing license either expires without renewal in accordance with Section 200-29 of the Village Code or is revoked by the Village in accordance with Section 200-30 of the Village Code; and

NOW THEREFORE BE IT RESOLVED, The Village hereby determines, for the benefit of the health and safety and welfare of the Village of Johnson City residents, that 1) the Village withdrawals from the Testing Agreement as of May 17, 2017, 2) the Village of Johnson City shall no longer issue reciprocal plumbing licenses after May 17, 2017, and 3) all plumbing licenses issued by the Village of Johnson City through May 17, 2017 pursuant to the Testing Agreement and Section 200 of the Village of Johnson City Code are grandfathered, remain valid and shall continue to be recognized by the Village in accordance with Section 200 of the Village Code until the plumbing license either expires without renewal in accordance with Section 200-29 of the Village Code or is revoked by the Village in accordance with Section 200-30 of the Village Code.

### **PUBLIC SAFETY**

**FIRE (Trustees Balles & Walker)** – No new business

#### **Resolution #2017 - 92**

Authorize and establish the starting annual salary of a probationary Fire Fighter at \$36,000.00, from \$34,222.08, effective June 1, 2017.

**Resolution #2017 – 92 was held over by Trustee Walker.**

#### **Resolution #2017 - 93**

A motion to authorize the Mayor to sign the Personal Services Agreement between the Village and the Fire Chief for the period beginning June 1, 2017, as reviewed during executive session, in a form acceptable to counsel for the Village was made by Trustee Meaney and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (Meaney, King, Walker, Balles, Deemie)      **Nays** – 0      **Absent** – 0



## VILLAGE OF JOHNSON CITY

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### POLICE (Trustees Balles & Walker)

#### **Resolution #2017 - 94**

A motion to accept a \$15,000 Walmart Community grant to be used towards the purchase of a K9 patrol vehicle was made by Trustee Balles and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

#### **Resolution #2017 - 95**

A motion to accept a donation of \$25,000 from United Health Services to be used towards the purchase of a K9 patrol vehicle was made by Trustee Walker and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

#### **Resolution #2017 - 96**

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

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

BOND RESOLUTION OF THE VILLAGE OF JOHNSON CITY, NEW YORK, ADOPTED MAY 16, 2017, AUTHORIZING THE ACQUISITION OF POLICE VEHICLES, STATING THE ESTIMATED MAXIMUM THEREOF IS \$73,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$73,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF JOHNSON CITY, IN THE COUNTY OF BROOME, NEW YORK, HEREBY RESOLVES (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 (herein called the "Village"), is hereby authorized to acquire police vehicles. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$73,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$73,000 bonds of the Village to finance said appropriation, 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.

Section 2. Bonds of the Village in the principal amount of \$73,000 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:





## VILLAGE OF JOHNSON CITY

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- (a) The period of probable usefulness applicable to the bonds herein authorized, within the limitations of Section 11.00 a. 77. of the Law, is three (3) 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.

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.



## VILLAGE OF JOHNSON CITY

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### **PUBLIC WORKS (Trustees Balles & King)**

#### **Resolution #2017 - 97**

A motion to award the bid for the Village's Curb and Gutter and Sidewalk Replacement Contract in the amount of \$160,818.00 to Tre-Gen as the lowest responsive bid was made by Trustee King and seconded by Trustee Balles.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

#### **Resolution #2017 - 98**

A motion to authorize the refund of a park reservation fee in the amount of \$40.00 to Debra Alexander for an event which was cancelled due to extenuating circumstances was made by Trustee Meaney and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

### **RECREATION (Trustees Balles & King)** – No new business

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

### **JOINT SEWAGE TREATMENT BOARD (Trustees Meaney & King)**

#### **Resolution #2017 - 99**

A motion to approve the following resolution regarding The Clean Water Infrastructure Act of 2017 Grant Program and the JSTP was made by Trustee Walker and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Meaney, King, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

*WHEREAS, the Village of Johnson City ("Village") and the City of Binghamton ("City") have an Intermunicipal agreement that establishes the conditions for co-owning the Binghamton-Johnson City Joint Sewage Treatment Plant ("JSTP"),*

*WHEREAS, pursuant to Intermunicipal Agreement VIII & IX the City of Binghamton is the "Lead Agency" for matters involving the redesign, bidding, contracting, reconstruction, and remediation of the Phase III Remedial Project,*

*WHEREAS, the Village and City have adopted bond resolutions for expenses related to the Phase III Remedial Project, including, the Solids Handling Improvement project at the JSTP,*

*WHEREAS, pursuant to the City's role as "Lead Agency," the City has adopted a resolution to contract with GHD Consulting Service Inc. to perform engineering services for Solids Handling Improvement project at the JSTP,*

*WHEREAS, pursuant to the City's role as "Lead Agency," the City has adopted a resolution to Award the Solids Handling Improvement project to Quandell, Matco, J&K and Dansforth,*



## VILLAGE OF JOHNSON CITY

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*WHEREAS, New York State passed The Clean Water Infrastructure Act of 2017 that provides at least \$150 million to fund an Intermunicipal Grant, with \$30 million available in 2017,*

*WHEREAS, the Solids Handling Improvements at the Binghamton-Johnson City Joint Sewage Treatment Plant may be eligible for grant funding, and*

*NOW THEREFORE BE IT RESOLVED, The Village, does hereby authorize and direct the City of Binghamton, as the JSTP Lead Agency, on behalf of the Village, to 1) apply for all applicable grant funding on behalf of the City and Village that may be available pursuant to the Clean Water Infrastructure Act of 2017, 2) expend up to \$30,000,000 to construct the Solid Handling Improvement project at the JSTP, and 3) appoint Clarence Shager as the Authorized Representative of the City, as Lead Agency, for all purposes relating to the Clean Water Infrastructure Act of 2017 grant application.*

### **Resolution #2017 - 100**

A motion to approve the following resolution in regards to approving and ratifying certain contracts for professional services in connection with the Binghamton-Johnson City Joint Sewage Treatment Facilities (“JSTP”) was made by Trustee Meaney and seconded by Trustee King.

Motion Carried - Vote:

**Ayes – 5** (Meaney, King, Walker, Balles, Deemie)    **Nays – 0**    **Absent – 0**

*WHEREAS, the Village of Johnson City (“Village”) and the City of Binghamton (“City”) have entered into Intermunicipal Agreements VIII & IX, that among other matters, appoints the City of Binghamton as the “Lead Agency” for matters involving the redesign, bidding, contracting, reconstruction, and remediation of the JSTP (the “Phase III Remedial Project”),*

*WHEREAS, pursuant to Intermunicipal Agreement VIII, as modified by Intermunicipal IX (the “Phase III Remediation IMA’s”) the City of Binghamton, by and through the City Council, in its capacity as “Lead Agency,” is authorized to “advertise and/or solicit for award contracts for professional services for the Phase III Remedial Project, including but not limited to, forensic testing, and inspection; engineering; design; preparation of construction documents, plans and specifications; construction administration and project management; construction inspection and testing...” (the “Phase III Remedial Project Professional Service Contracts”),*

*WHEREAS, notwithstanding the foregoing, the City has forwarded and requested the Village authorize and approve Phase III Remedial Project Professional Service Contracts,*

*WHEREAS, pursuant to the Phase III Remediation IMA’s the City as Lead Agency is authorized to “pay claims for Phase III Remedial Project expenses approved by (i) the fiscal officer of the Joint Sewage Treatment Plant and (ii) the Lead Agency, including by the City Engineer or a designated Clerk of the Works for all design and construction contracts and by the City Corporation Counsel for all legal, accounting, consulting, and related expert fees and expenses. Such claims for project expenses may be paid from the approved budget for the Phase III Remedial Project or from funds transferred*



## VILLAGE OF JOHNSON CITY

by the City and Village within the Joint Sewage treatment project budget for such expenses”,

WHEREAS, the City has forwarded and reported as required by the Phase III Remediation IMA's the expenses,

WHEREAS, the City of Binghamton has approved the following Phase III Remedial project Professional Service Contracts:

1. *GHD – Design Services*
  - a. *Base Contract (Work Orders 1-5) - R14-58 (09/17/2014)* \$1,266,000
  - b. *Work Order 6 - R15-08 (02/18/2015)* \$5,934,000
  - c. *Work Order 6 - Amendment No. 1 - R15-106 (11/04/2015)* \$2,997,000
  - d. *Work Order 7 - R15-31 (04/08/2015)* \$4,975,000
  - e. *Work Order 7 - Amendment No. 1 - R15-106 (11/04/2015)* \$1,707,000
  - f. *Work Order 7 - Amendment No. 2 - R17-50 (04/19/2017)* \$2,461,000
  - g. *Work Order 8 - R15-108 (11/04/2015)* \$1,551,000
  - h. *Work Order 8 - Amendment No. 1 - R17-50 (04/19/2017)* (see “f” above)
  - i. *Work Order 9 - R17-51 (04/19/2017)* \$ 35,000
2. *Jacobs – Project Management*
  - a. *Base Contract - R15-32 (04/08/2015)* \$9,200,544
  - b. *Supplemental Agreement No. 1 - R15-51 (05/20/2015)* \$1,500,000
  - c. *Supplemental Agreement No. 2 - R16-83 (08/17/2016)* \$2,669,000
3. *RAM-TECH – Engineering Services Terminal Pump Station*
  - a. *Base Contract - R15-22 (03/04/2015)* \$ 155,800
  - b. *Supplemental Agreement No. 1 - R16-101 (10/05/2016)* \$ 27,500
4. *Griffiths Engineering – Flood Mitigation System Design*
  - a. *Base Contract - R12-73 (10/03/12)* \$1,400,000
  - b. *Supplemental Agreement No. 1 - R14-42 (06/18/2014)* \$ 77,000
  - c. *Supplemental Agreement No. 2 - R15-21 (03/04/2015)* \$ 383,643
  - d. *Supplemental Agreement No. 3 - R17-52 (04/19/2017)* (\$ 94,193)
5. *Griffiths Engineering – Construction Management/Terminal Pump*
  - a. *Base Contract - R15-46 (04/22/2015)* \$ 250,000
6. *Griffiths Engineering – Flood Wall Project Oversight*
  - a. *Base Contract - R15-47 (04/22/2015)* \$ 402,072
  - b. *Supplemental Agreement No. 1 - R17-53 (04/19/2017)* \$ 267,193

WHEREAS, certain of the Phase III Remedial Project Professional Service Contracts may not have been forwarded to the Village for review and approval; and

WHEREAS, the City resolutions authorizing the Phase III Remedial Project Professional Service Contracts require the approval of the Village Board of Johnson City,



## VILLAGE OF JOHNSON CITY

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*WHEREAS, the Village desires to approve and ratify the above referenced Phase III Remedial Project Professional Service Contracts*

*NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees does hereby approve and ratify all Phase III Remedial Project Professional Service Contracts awarded to date as set forth herein.*

### **PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.

*Corinna Johnson, Cook St.* – Announced that the JC Partners will be having a clean-up day in the downtown area on Saturday from 9am – 12pm. Anyone interested in helping should meet at 9am behind Village Hall.

*Don Slota, Eldridge Ave.* – Regarding the curb & sidewalk contract – how is that bid? Mayor Deemie explained that we advertise for it. Mr. Slota asked about the quantity of work. Trustee King explained how the sidewalk and curbs are assigned. Mr. Slota stated that 4 years ago they took a tree down in front of his house. He is still waiting for the curb to be repaired. Mr. Slota stated that there is dumping again by Boland. One of the no dumping signs is missing.

*Corinna Johnson, Cook St.* – Asked about the timeline for the work being done on Main Street. Asked if it will be done in time for the parade. Mayor Deemie explained that it is the state and they were told about the parade but they started anyways. Trustee King stated that he spoke to one of the workers recently and they told him it is an approximately 3 month long project.

Mayor Deemie closed the second privilege of the floor.

### **ADJOURNMENT**

Mayor Deemie adjourned the meeting at 7:55pm.

Cindy Kennerup  
Clerk/Treasurer

CK/db

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