



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
Clark Giblin, Trustee

Richard Balles, Trustee
John Walker, Trustee

AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, February 6, 2018 @ 7:30pm • Village Hall, 243 Main St., 2nd Floor, Johnson City, NY

We kindly request that you turn off or mute all cell phones and pagers.

We kindly request that if anyone wishes to read from a prepared statement, please provide the Clerk with a copy so that the minutes can be as accurate as possible.

ORDER OF BUSINESS:

1. ***PLEDGE OF ALLEGIANCE***

2. ***FIRE EXITS***

3. **MAYOR'S ANNOUNCEMENTS**

[3.1] The next regular Village Board Meeting will be Tuesday, February 20, 2018 at 7:30pm with a work session at 5:30pm

[3.2] Village Offices will be closed on Monday, February 19th in observance of President's Day.

4. **APPROVAL OF BOARD MINUTES**

Minutes of January 16, 2018 regular meeting and work session

5. **BIDS** - None

6. **PUBLIC HEARINGS** - None

7. **PETITIONS RECEIVED** - None

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

9. **COMMUNICATIONS** - None

10. **COMMITTEE/BOARD REPORTS**

[10.1] Minutes of the January 18, 2018 regular meeting of the Broome County Association of Municipal Clerks

[10.2] Minutes of the January 17, 2018 regular meeting of the Town of Union

[10.3] Minutes of the November 14, 2017 regular meeting of the Village of Endicott

11. DEPARTMENT REPORTS

- [11.1] Department of Public Works Monthly Overtime Report – January 2018
- [11.2] DPW & Water Monthly Report – January 10, 2018
- [11.3] DPW & Water Monthly Report – February 1, 2018
- [11.4] Police Department Overtime Report for the weeks of January 11 – 24, 2018
- [11.5] Fire Department Overtime Report for the week of January 11 – 24, 2018
- [11.6] Village of Johnson City’s 2017 Combined Sewer Overflows Annual Report

12. PAYROLL AND BILLS PRESENTED

Abstract #14 of the 2017 - 2018 Fiscal bills

GENERAL FUND	\$ 1,642,633.26
WATER FUND	\$ 57,442.64
SEWER FUND	\$ 24,460.62
REFUSE FUND	\$ 32,825.32
JSTP	\$ 3,433,569.03

13. UNFINISHED BUSINESS - None

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2018 – 26

Authorize the Mayor to sign agreement with Excellus for renewal of health insurance plan for January 1, 2018 through May 31, 2018 for active employees and retirees under age 65.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker)

Resolution #2018 – 27

Authorize the Mayor to sign a Fire Protection Agreement between the Village of Johnson City and the Town of Union for calendar year 2018 for the Westover Fire Protection District #6 in a form acceptable to Counsel for the Village

POLICE (Trustees Balles & Walker)

Resolution #2018 – 28

Adopt the attached USDA Loan Resolution as worded in form RD 1942-4 as it relates to the 2017 Police Vehicles Project.

Resolution #2018 – 29

Approve a travel request for Dan VanWie and Matthew Kushner to attend the SWAT New York Tactical Officers Association Conference from April 24 – 26, 2018 at the Turning Stone Resort in Verona, NY at a cost of \$1,196.00 from budget line A3120.4.551.

Resolution #2018 – 30

Authorize the granting of a parade permit to The Johnson City Police Benevolent Association (JCPBA) and the DW 5K Committee to hold the Officer David “DW” Smith, Jr. Remembrance 5K Run/Walk at 9:00am on Sunday, June 10, 2018 contingent upon receiving the necessary approvals from the NYS DOT, and coordination with the JC Police and JC DPW for road closures.

PUBLIC WORKS (Trustees Balles & King)

Resolution #2018 – 31

Approve a request for Precious Turkow Dickson and family to hold the 3rd Annual Jamison Turkow Memorial Walk for Addiction Awareness at CFJ Park on Saturday, May 5, 2018 from 1:00pm – 5:00pm contingent upon proof of insurance being provided listing the Village of Johnson City as the certificate holder and the submission of security details.

Resolution #2018 – 32

Approve a request for the Johnson City Music and Art Departments to hold an “Arts in the Park” festival at CFJ Park from 8:00am – 4:00pm on Saturday, June 2, 2018 contingent upon the Village receiving proof of the required liability insurance and all required permits and paperwork

Resolution #2018 – 33

Approve a travel request for Brad Neferis and Evan Verrastro to attend the NASSCO Certification Training from February 27 – March 1, 2018 in Allentown, PA at a cost of \$2,500.00 from budget line G8120.4.930.

RECREATION (Trustees Balles & King) – No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Walker & Giblin) – No new business

JOINT SEWAGE TREATMENT BOARD (Trustees King & Giblin)

Resolution #2018 – 34

Authorize the enactment of legislation to transfer \$12,000 from Equipment & Pump Repairs – Electrical (J8130.54621A) to Equipment & Pump Repairs (J8130.54621) to allow for the rehabilitation of plant pumps & equipment.

Resolution #2018 – 35

Authorize the enactment of legislation to transfer \$55,000 from Contingency (J8130.55000) to Permits, Fees & Fines (J8130.54802) to allow for the payment of fines for falling short of the Consent Order requirements.

Resolution #2018 – 36

Authorize the enactment of legislation to increase 2017 Budget revenue appropriations and allow payment of \$314,528.79 to the Owners. On the revenue side: Federal Aid – Emergency (J.44960) should be increased by \$314,528.79. On the expense apportionments that Reimburse Owners for Rec (J8130.54899) be increased by \$314,528.79. There is no State portion included in these receipts. Payments made via claim to the City of Binghamton (54.9%) in the amount of \$172,361.78 and the Village of Johnson City (45.2%) of \$142,167.01 will then be processed.

15. PRIVILEGE OF THE FLOOR – VISITORS

16. ADJOURNMENT

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

Mayor Gregory Deemie - jcmayor@villageofjc.com

Deputy Mayor Bruce King - bking@villageofjc.com

Trustee Richard Balles - rballes@villageofjc.com

Trustee Clark Giblin - cgiblin@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com

USDA
Form RD 1942-47
(Rev. 12-97)

LOAN RESOLUTION
(Public Bodies)

FORM APPROVED
OMB NO. 0575-0015

2/2/18
Ker. 10

A RESOLUTION OF THE Board of Trustees
OF THE Village of Johnson City
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
2017 Police Vehicles
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Village of Johnson City
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
48,000.00

pursuant to the provisions of subject to NYS Local Finance Laws; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
 - 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
 - 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
 - 14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
 - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
 - (b) Repairing or replacing short-lived assets.
 - (c) Making extensions or improvements to the facility.
- Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
 - 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
 - 17. To accept a grant in an amount not to exceed \$ 25,000

under the terms offered by the Government; that the Mayor

and Deputy Mayor of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee

The vote was: Yeas _____ Nays _____ Absent _____.

IN WITNESS WHEREOF, the Board of Trustees of the

Village of Johnson City has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this _____ day of _____, _____.

(SEAL)

By Gregory Deemie

Title Mayor

Attest:

Cindy Kennerup, Village Clerk/Treasurer

Title

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Village Clerk/Treasurer of the Village of Johnson City

hereby certify that the Board of Trustees of such Association is composed of _____ members, of whom _____, constituting a quorum, were present at a meeting thereof duly called and held on the _____ day of _____, _____; and that the foregoing resolution was adopted at such meeting by the vote shown above. I further certify that as of _____, the date of closing of the loan from the Government, said resolution remains in effect and has not been rescinded or amended in any way.

Dated, this _____ day of _____, _____.

Title Cindy Kennerup, Village Clerk/Treasurer