



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING
243 MAIN STREET • JOHNSON CITY, NY 13790
www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Clark Giblin, Deputy Mayor
Benjamin Reynolds, Trustee

Martin Meaney, Trustee
John Walker, Trustee

AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, August 6, 2019 @ 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] National Night Out is Wednesday, August 7, 2019 from 5:30pm to 7:30pm at Schorr Family Firehouse Stage parking lot, 48 Willow Street, Johnson City.
- [3.2] The Johnson City Zoning Board meeting is scheduled for Monday, August 12, 2019. The work session will be at 7:00pm and the meeting will begin at 7:30pm in the Village Boardroom.
- [3.3] The next Cruze In is scheduled for Thursday, August 15, 2019 from 5:00pm – 8:00pm. Orange Blossom Special will be playing.
- [3.4] The next regular Village Board Meeting will be Tuesday, August 20, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.

4. **APPROVAL OF BOARD MINUTES**

- [4.1] Minutes of July 16, 2019 regular meeting and work session

5. **BIDS** – None

6. **PUBLIC HEARINGS**

- [6.1] A Local Law Amending Chapter 225 of the Village Code entitled “Shopping Carts”.
- [6.2] A Local Law Amending Chapter 114 of the Village Code entitled “Building Code Administration”.
- [6.3] To solicit input regarding the ADA Transition Plan.

7. **PETITIONS RECEIVED** – None

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

9. COMMUNICATIONS – None

10. COMMITTEE/BOARD REPORTS

[10.1] Joint Sewage Treatment Board Reports dated July 31, 2019

11. DEPARTMENT REPORTS

[11.1] Fire Department Overtime Report for the weeks of July 11 – July 24, 2019

[11.2] Police Department Overtime Report for the weeks of July 11 – July 24, 2019

12. PAYROLL AND BILLS PRESENTED

Abstract #3 of the 2019 - 2020 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$ 628,173.19
WATER FUND	\$ 180,194.11
SEWER FUND	\$ 61,120.58
REFUSE FUND	\$ 28,633.03
JSTP	\$ 1,292,921.38

13. UNFINISHED BUSINESS – None

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2019 – 127

Authorize the Mayor or his Designee to execute a Letter of Resolution Agreement amongst the Village; the Empire State Development; and the New York State Office of Parks, Recreation and Historic Preservation regarding the demolition of 219 Main Street

Resolution #2019 –128

Authorize the Mayor or his Designee to execute an Economic Development Service Agreement between the Village and the Broome County Industrial Development Agency regarding the provision of certain economic development services.

Resolution #2019 – 129

At a regular meeting of the Village Board of the Village of Johnson City, held at Village Hall, 243 Main Street, Johnson City, New York on the 6th day of August, 2019, the following resolution was offered and seconded:

WHEREAS, the Village of Johnson City scheduled a public hearing for August 6, 2019 at 7:35 p.m. for Local Law No. 6 of the year 2019 entitled “A LOCAL LAW AMENDING CHAPTER 225 OF THE VILLAGE CODE ENTITLED ‘SHOPPING CARTS’”; and

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

WHEREAS, said public hearing was duly held at Village Hall, 243 Main Street, Johnson City, New York on the 6th day of August, 2019 at 7:35 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 6-2019 entitled “A LOCAL LAW AMENDING CHAPTER 225 OF THE VILLAGE CODE ENTITLED ‘SHOPPING CARTS’”, a copy of which is attached hereto and made a part hereof; and

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

BE IT FURTHER RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Resolution #2019 – 130

At a regular meeting of the Village Board of the Village of Johnson City, held at Village Hall, 243 Main Street, Johnson City, New York on the 6th day of August, 2019, the following resolution was offered and seconded:

WHEREAS, the Village of Johnson City scheduled a public hearing for August 6, 2019 at 7:40 p.m. for Local Law No. 7 of the year 2019 entitled “A LOCAL LAW AMENDING CHAPTER 114 OF THE VILLAGE CODE ENTITLED ‘BUILDING CODE ADMINISTRATION’”; and

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

WHEREAS, said public hearing was duly held at Village Hall, 243 Main Street, Johnson City, New York on the 6th day of August, 2019 at 7:40 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 7-2019 entitled "A LOCAL LAW AMENDING CHAPTER 114 OF THE VILLAGE CODE ENTITLED 'BUILDING CODE ADMINISTRATION'", a copy of which is attached hereto and made a part hereof; and

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

BE IT FURTHER RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Resolution #2019 – 131

WHEREAS, by Memorandum, dated August 1, 2019, by the Town of Union Building & Code Inspector Gary Post, the Village Board of Trustees of the Village of Johnson City has been requested to consider declaring the structure at 59 Allen Street, Johnson City, New York unsafe and dangerous, which consideration requires a public hearing; and

NOW, THEREFORE, be it

RESOLVED, that the Village Board will hold a Public Hearing on September 17, 2019 at 7:35 p.m. to solicit public input on the issue concerning whether the structure at 59 Allen Street, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED, that notice of this Public Hearing shall be served by mail on the record owner of 59 Allen Street, Johnson City, New York and its legal counsel, if known; and be it further

RESOLVED, that the Town Clerk and Counsel are authorized to take such additional and further action as is necessary to notice the Public Hearing as noted herein; and be it further

RESOLVED that in accordance with Section 118-9 of the Village Code, that a clear and imminent danger to life, safety and health exists for persons and property; and as such the building at 59 Allen Street, Johnson City, New York must be secured immediately, the Board hereby authorized the Building Inspector to immediately cause the securing of this building.

Resolution #2019 – 132

BOND RESOLUTION DATED AUGUST 6, 2019.

A RESOLUTION AUTHORIZING THE PURCHASE OF HEAVY EQUIPMENT IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$352,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$352,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

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

Section 1. The purchase of heavy equipment in and for the Village of Johnson City, Broome County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$352,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$352,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

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

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

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

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

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

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

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

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

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

Resolution #2019 – 133

BOND RESOLUTION DATED AUGUST 6, 2019.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE FLORAL PARK POOL IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$200,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$200,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

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

Section 1. The construction of improvements to the Floral Park Pool in and for the Village of Johnson City, Broome County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$200,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$200,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 61 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

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

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

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

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

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

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

Resolution #2019 – 134

BOND RESOLUTION DATED AUGUST 6, 2019.

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolution #2019 – 135

BOND RESOLUTION DATED AUGUST 6, 2019.

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES AND DESIGN COSTS FOR A NEW DPW FACILITY, IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$799,580, AND AUTHORIZING THE ISSUANCE OF \$799,580 BONDS OF SAID VILLAGE TO PAY THE COSTS THEREOF.

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

Section 1. The purchase of police vehicles in and for the Village of Johnson City, Broome County, New York is hereby authorized at a total maximum estimated cost of \$99,580 and the plan of financing thereof is by the issuance of \$99,580 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. Design costs in connection with a new DPW Facility in and for the Village of Johnson City, Broome County, New York is hereby authorized at a total maximum estimated cost of \$700,000 and the plan of financing thereof is by the issuance of \$700,000 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid (i) police vehicles, being a class of objects or purposes, is three years pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law, and (ii) design costs, being a specific object or purpose, is five years pursuant to subdivision 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

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

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

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

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

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

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

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

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

Resolution #2019 – 136

BOND RESOLUTION DATED AUGUST 6, 2019.

A RESOLUTION AUTHORIZING THE REPLACEMENT OF THE ROOF AT THE LIBRARY IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$60,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$60,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

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

Section 1. The replacement of the roof at the library in and for the Village of Johnson City, Broome County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$60,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$60,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

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

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

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

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

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

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

Resolution #2019 – 137

BOND RESOLUTION DATED AUGUST 6, 2019.

A RESOLUTION AUTHORIZING IMPROVEMENTS TO VARIOUS WATER TANKS IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,090,910 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$1,090,910 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

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

Section 1. Improvements to various water tanks, including costs incidental thereto, in and for the Village of Johnson City, Broome County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,090,910.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,090,910 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

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

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

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

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

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

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

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

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

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

Resolution #2019 – 138

Approve travel request for Village Justice Gregory Thomas for registration and attendance at the New York State Magistrates Association annual conference September 15 – September 18, 2019 in Lake Placid, New York at a cost of \$1003.15 less New York State reimbursement of \$541.65 for a total of \$461.50 from budget line A1110.4.930.

Resolution #2019 – 139

Approve travel request for Village Justice Thomas Dellapenna for registration and attendance at the New York State Magistrates Association annual conference September 15 – September 18, 2019 in Lake Placid, New York at a cost of \$1003.15 less New York State reimbursement of \$541.65 for a total of \$461.50 from budget line A1110.4.930.

Resolution #2019 – 140

Appoint Erin Bilek to the position of Part Time Clerk in the Village Court at the rate of \$12.50/hour effective August 7, 2019 not to exceed 19.5 hours/week with a performance evaluation after 6 months and contingent upon a successful completion of a background check.

Resolution #2019 – 141

Authorize an increase of .50 per hour for Margaret McCann, Part Time Clerk in the Village Court effective August 8, 2019 not to exceed 19.5 hours/week with a performance evaluation after 6 months.

Resolution #2019 – 142

Approve Village Justice Gregory Thomas' request for permission to apply for the 2019-2020 Justice Court Assistance Program (JCAP) Grant through the New York State Unified Court System.

Resolution #2019 – 143

Approve forgiveness of \$105 for TV removal at 67 Jay Street due to lack of notification and fact that she would have been pulled TV back had she been notified.

Resolution #2019 – 144

Authorize reimbursement of \$70 to Gansen Leung for overpayment of refuse fees for 28 Brown Street paying two-family residence charges instead of a single family residence fees.

Resolution #2019 – 145

Whereas, at a public hearing on August 6, 2019, comments and suggestions regarding the plan were sought; and

As such, the Village Board, hereby has reviewed all comments and suggestions received; and authorizes the Mayor to execute and take any actions necessary to effectuate the ADA Transition Plan.

PUBLIC SAFETY

FIRE (Trustees Walker & Reynolds)

Resolution #2019 – 146

A motion to appoint Noah A. Maney to the position of Fire Fighter from Broome County Certified List #63-336, on a probationary basis, at a salary in accordance with the Collective Bargaining Agreement, effective August 15, 2019 contingent upon the successful completion of a background investigation, required pre-employment drug test and medical exam.

Resolution #2019 – 147

A motion to appoint Philip S. Palmer to the position of Fire Fighter from Broome County Certified List #63-336, on a probationary basis, at a salary in accordance with the Collective Bargaining Agreement, effective August 15, 2019 contingent upon the successful completion of a background investigation, required pre-employment drug test and medical exam.

Resolution #2019 – 148

A motion to appoint Leigh J. Tobias to the position of Fire Fighter from Broome County Certified List #63-336, on a probationary basis, at a salary in accordance with the Collective Bargaining Agreement, effective August 15, 2019 contingent upon the successful completion of a background investigation, required pre-employment drug test and medical exam.

POLICE (Trustees Walker & Reynolds) – No new business

PUBLIC WORKS (Trustees Walker & Giblin)

Resolution #2019 – 149

Appoint Larry Rozelle to the position of Auto Mechanic at a salary of \$23.32 per hour, in accordance with the Collective Bargaining Agreement, effective August 22, 2019 contingent upon the successful completion of a background investigation and the required pre-employment drug test.

RECREATION (Trustees Walker & Giblin) – No new business

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

JOINT SEWAGE TREATMENT BOARD (Trustees Giblin & Reynolds)

Resolution #2019 – 150

Approve the Binghamton-Johnson City Joint Sewage Board request to pass legislation to increase appropriations of Insurance Recoveries J.42680 and increase Transfers to Owners J8130.54899 by the same to allow City Controller to offset cost of new Krüger K5 Media.

Resolution #2019 – 151

Authorize the Mayor or his designee to execute an addendum to the Intermunicipal Agreement between the City of Binghamton and the Village of Johnson City, as to the salary of the Project Analyst.

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 Clark Giblin – cgiblin@villageofjc.com Trustee Martin Meaney – mmeaney@villageofjc.com

Trustee Benjamin Reynolds - breynolds@villageofjc.com Trustee John Walker - jwalker@villageofjc.com