



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 18, 2020 @ 7:30pm via Zoom Video Conference** **Work Session @ 5:00pm via Zoom Video Conference**

Join Zoom Meeting

Meeting Link: <https://us02web.zoom.us/j/89529890642?pwd=e1BEV2FmSng2TFFBakp3Vy9BV2wwZz09>

Meeting ID: 895 2989 0642

Password: 671410

Dial in phone number: 1-646-558-8656

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. STATEMENT REGARDING ZOOM VIDEO CONFERENCE

3. MAYOR'S ANNOUNCEMENTS

- [3.1] The next regular Planning Board Meeting will be Tuesday, August 25, 2020 at 7:30pm with a work session at 7:00pm.
- [3.2] The next regular Village Board Meeting will be Tuesday, September 1, 2020 at 7:30pm with a work session at 5:00pm.
- [3.3] The next Town of Union Board Meeting will be held on Wednesday, September 2, 2020 at 7:00pm with a work session at 5:30pm.
- [3.4] The Binghamton-Johnson City Joint Sewage Board will meet on Tuesday, September 8, 2020 at 3:30 at the Administration Building, 1st Floor Conference Room, Binghamton-Johnson City Joint Sewage Treatment Facility, Vestal.
- [3.5] The next regular Zoning Board Meeting will be Monday, September 14, 2020 at 7:30pm with a work session at 7:00pm.

4. APPROVAL OF BOARD MINUTES

- [4.1] August 4, 2020 Regular Meeting and Work Session Minutes

5. **BIDS**

[5.1] Bids were opened and read at 10:00am on Thursday, August 13, 2020 at Village Hall for the Floral Avenue Pool as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Patterson-Steven, Inc	\$326,400.00
21 st Century Pools & Spas	\$157,047.00

6. **PUBLIC HEARINGS**

[6.1] Local Law amending Chapter 124 of the Village Code entitled ‘Circuses, Carnivals and Amusements’”

7. **PETITIONS RECEIVED** – None

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

9. **COMMUNICATIONS**

[9.1] Email correspondence from Lisha Levin regarding 95 Riverside Drive

10. **COMMITTEE/BOARD REPORTS**

- [10.1] Code Enforcement – *No report submitted*
- [10.2] Court – Nothing to report
- [10.3] Joint Sewage Treatment Board – August 2020 Reports
- [10.4] Library – Nothing to report
- [10.5] Newsletter - *No report submitted*
- [10.6] Planning Board – *No report submitted*
- [10.7] Public Safety – *No report submitted*
- [10.8] Public Works – Nothing to report
- [10.9] Zoning Board – *No report submitted*

11. **DEPARTMENT REPORTS**

- [11.1] Town of Union Code Enforcement Department Reports for July 2020
- [11.2] Fire Department Overtime Report for the weeks of July 23 – August 5, 2020
- [11.3] Police Department Overtime Report for the weeks of July 23 – August 5, 2020

12. **PAYROLL AND BILLS PRESENTED**

Abstract #4 of the 2020 - 2021 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$80,154.71
WATER FUND	\$15,725.38
SEWER FUND	\$81,921.94
REFUSE FUND	\$5,924.00
JSTP	\$102,876.23
VARPUR	\$81,767.53
CAPITAL	\$0
DEBT SERVICE	\$0

13. UNFINISHED BUSINESS

Resolution #2020 – 101

Authorize the Mayor to sign a Supplemental Agreement with Delta Engineers, Architects & Land Surveyors to provide professional engineering services for bid phase services in the amount of \$8,000.00, to be funded through FY19-20 Budget line A1640.4.975, ‘New DPW Facility’.

Resolution #2020 – 102

Authorize to advertise for bids for the New DPW Facility – “Phase 1 – Sitework Package.”.

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2020 – 130

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 8-2020

WHEREAS, pursuant to an Emergency Order of the Governor of the State of New York, notice was given that the Village Board scheduled a public hearing for August 18, 2020 at 7:35 p.m. via Zoom Video Conference for Local Law No. 8 of the year 2020 entitled “A LOCAL LAW AMENDING CHAPTER 124 OF THE VILLAGE CODE ENTITLED ‘CIRCUSES, CARNIVALS AND AMUSEMENTS’”; 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 on the 18th day of August, 2020 at 7:35 p.m. and all parties attending the videoconference 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 the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); 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. 8 of 2020 entitled “A LOCAL LAW AMENDING CHAPTER 124 OF THE VILLAGE CODE ENTITLED ‘CIRCUSES, CARNIVALS AND AMUSEMENTS’”, 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 #2020 – 131

A motion to award the bid for the Floral Avenue Pool in the amount of \$157,047.00 to 21st Century Pools & Spas as the lowest responsive bid.

Resolution #2020 – 132

RESOLUTION ACCEPTING AN APPLICATION AND SETTING A PUBLIC HEARING

WHEREAS, an application was received from Emily McGinn regarding 11 Pamela Drive (Tax map number 127.10-4-23) wherein she is requesting a special permit to allow the keeping of domesticated chickens under section 300-40.10.1 of the Village Code entitled “Domesticated chickens”; and

WHEREAS, the Village Board desires to hold a public hearing with respect to said special permit request; and

NOW, THEREFORE, BE IT RESOLVED that the application is accepted and that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the aforesaid application at 7:35 p.m. on September 15, 2020; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Resolution #2020 – 133

BOND RESOLUTION DATED AUGUST 18, 2020.

A RESOLUTION AUTHORIZING THE INSTALLATION OF A GENERATOR FOR THE VILLAGE HALL, IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$60,000, AND AUTHORIZING THE ISSUANCE OF \$60,000 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 installation of a generator for the Village Hall in and for the Village of Johnson City, Broome County, New York is hereby authorized at a total maximum estimated cost of \$60,000 and the plan of financing thereof is by the issuance of \$60,000 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. The period of probable usefulness of such specific object or purposes is five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law.

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 #2020 – 134

BOND RESOLUTION DATED AUGUST 18, 2020.

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 #2020 – 135

BOND RESOLUTION DATED AUGUST 18, 2020.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW DPW FACILITY IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$12,000,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$12,000,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all proceedings in connection with compliance with the State Environmental Quality Review Act having been complied with it is now desired to authorize this project and the financing thereof, NOW, THEREFOR

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 a new DPW facility at 333 Grand Avenue, including a salt shed, maintenance facility, a fueling facility, parking lots and various other site improvements, 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 \$12,000,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$12,000,000 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 thirty years, pursuant to subdivision 11 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 #2020 – 136

Authorize forgiveness of the Town of Union lawn trimming bill in the amount of \$161.46 to Charles Rubin at 95 Riverside Drive due to extenuating circumstances.

PUBLIC SAFETY

FIRE (Trustees Walker & Reynolds) – No new business

POLICE (Trustees Walker & Reynolds) – No new business

PUBLIC WORKS (Trustees Walker & Giblin) – No new business

RECREATION (Trustees Walker & Giblin) – No new business

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

JOINT SEWAGE TREATMENT BOARD (Trustees Giblin & Reynolds) – No new business

15. **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