

# **Village of Johnson City**

60 Lester Avenue  
Johnson City, NY 13790

## **Stormwater Management Program Plan**

For compliance with NYS GP 0-24-001

## Description of coverage

The Village of Johnson City (Village) is covered for Municipal Separate Storm Sewer discharges under the NY State SPDES permit program. MS4s are regulated by GP-0-24-001 and are required to prepare a stormwater management plan and program to meet the requirements and benchmarks of this permit. The Village submitted the MS4 Notice of Intent on February 19, 2024; this submission, certification and acknowledgement are attached at Appendix A of this document.

## Receiving Waters:

The Village of Johnson City MS4 system discharges to:

Receiving Waterbody Name	Receiving waterbody segment ID	Pollutant(s) of concern
Susquehanna River	0603-002	See Below

## Pollutants of Concern

Stormwater runoff from impervious and developed surfaces carries large amounts of various pollutants to the surface waters of the United States. Among these pollutants are nutrients, silt and sediment, pathogens, oil/grease, metals, and debris/litter. Phosphorus, nitrogen, and pathogens are of particularly high concern to the water bodies in the Binghamton Urbanized Area.

### Nutrients: Phosphorus and Nitrogen

Phosphorus is the primary nutrient of concern locally. High phosphorus levels lead to excess weed and algae growth in lakes and streams. This growth clogs waterways and blocks sunlight. When algae die, they sink to the bottom and decompose in a process that removes oxygen from the water. Most fish and other aquatic life are unable to survive in water containing low dissolved oxygen levels. Sources of nutrients include fertilizer, human and animal waste, and detergents. Leaves, grass clippings, and other plant materials that fall or are deposited on urban land also carry nutrients that are released during decomposition.

### Silt and sediment

Silt and sediment are a result of soil erosion from construction sites, lawns, agriculture, and landscaping activities. Heavy deposits of silt in sensitive areas such as wetlands and streams can damage aquatic habitat and cause turbidity. Sediment also can carry toxic chemicals that deplete oxygen in water bodies, and can clog water infrastructure.

**Pathogens (bacteria, viruses)**

Bacteria, viruses and other microorganisms include infectious agents and disease producing organisms normally associated with human and animal (both pet and wildlife) wastes, leakage from sewers and seepage from septic tanks. These organisms can cause disease in humans and animals when present in drinking water and water bodies. Because pathogens can harm aquatic and human health, their presence can render lakes and streams unsafe for drinking, swimming, fishing, and other forms of water recreation. Biological contaminants originate from organic matter, animal waste and litter. They may enter the stormwater drainage system through illicit discharges and cross-connections or sanitary and combined sewer overflows.

**Metals (e.g. arsenic, lead, mercury, copper, cadmium, zinc)**

Metals in water can be toxic to aquatic life, humans and animals. Metals generally originate from vehicle exhaust, weathered paint, metal plating, tires, discarded auto parts, and motor oil. Heavy metals bioaccumulate, meaning that they become more concentrated and toxic the higher in the food chain they progress.

**Thermal stress (sunlight)**

Direct exposure of urban streams to sunlight (such as in areas where shade is lacking) may elevate stream temperatures. These temperatures can exceed fish tolerance limits, reducing survival and lowering resistance to disease. Thermal energy also originates from street, parking lot and roof surfaces that have been heated by sunlight. This energy is conveyed through the drainage system to streams by surface flow during storm events, resulting in similar stress to aquatic life.

**Floatable/ litter**

Floating trash in water may be contaminated with toxic chemicals and bacteria, and can cause death to aquatic animals and birds. Aesthetics are also negatively impacted. Floatables are the result of overproducing single use items and an increase in packaging as well as winds and careless handling of materials.

**Oxygen demanding organics**

Natural or synthetic organic materials (including human and animal waste, decaying plants and animals, discarded litter, and food waste) can enter surface waters either dissolved or suspended in stormwater runoff. Natural decomposition of the material can deplete dissolved oxygen supplies in the waters. When dissolved oxygen is reduced below a critical threshold level, fish and other aquatic organisms can perish.

**Chlorides**

Large quantities of deicing or anti-skid compounds are applied by municipalities and transportation departments during the winter months; commonly these substances consist of chloride salts (although sand may also be used). These chemicals are washed into storm drains and streams during snowmelt; they are toxic in large quantities and can contaminate drinking water.

### Other toxic substances

Toxic substances may enter surface waters either dissolved in runoff or attached to sediment or organic materials. The principal concerns in surface water are their entry into the food chain, toxic effect on fish, wildlife and microorganisms, habitat degradation, and potential degradation of public water supplies. Oil and grease in storm drains can be toxic even in small amounts; they can generally be traced to automotive leaks and spills or improper disposal of used oil and automotive products into storm drains. Residential sources of toxic substances include vehicle fluids (oil, gasoline and antifreeze), paint, pesticides, solvents, batteries, hazardous wastes, street litter, soap from car washing, and swimming pool discharges. Activities of commercial businesses may generate soap from equipment washing, waste process water and hazardous liquids that are either directly discharged to the storm sewer system or enter via surface runoff. Toxic substances can also originate from construction sites and may include wash water from concrete mixers, used oil and solvents, and vehicle fuels and pesticides.

## Description of Local Laws

The Village has the following local laws in effect related to Stormwater Discharges:

- Village Code Section 237 – Storm Sewers (Appendix B)
- Village Code Section 238 – Stormwater Management and Erosion (Appendix B)

## Personnel

The Village's Stormwater Management Officer is:

Name	Joshua L Holland
Title	Director of Public Services
Contact information	607.797.3031 x1233; jcdops@villageofjc.com

Duties and responsibilities to implement components of the stormwater program are not limited to the Stormwater Program Officer, they require the contribution and expertise of many municipal staff across departments.

Department	Title	Contact information	Role in Stormwater program
Department of Public Works – Sewer & Storm Sewer	<b>Timothy Sherman</b> DPW Supervisor	<a href="mailto:dpwsupr@villageofjc.com">dpwsupr@villageofjc.com</a>	Manages hands on staff; coordinates necessary repairs; ensures inspections are completed
Code Enforcement	<b>Randy Shear</b> Code Enforcement Officer	<a href="mailto:codeofficer@villageofjc.com">codeofficer@villageofjc.com</a>	Enforcement of Village Codes pertaining to stormwater

Additionally, communication and coordination will take place between each of the involved departments to report and manage any illicit discharges; to coordinate and schedule inspections of stormwater components; and to complete any maintenance or repair to the Village's stormwater system.

The Stormwater Management Office will update the Stormwater Management Program Plan and be responsible for gathering information from required departments to ensure annual reporting compliance.

Additional organizations that assist with implementing the Stormwater Program:

The Broome-Tioga Stormwater Coalition (The Coalition) exists through the enactment of a Memorandum of Agreement (MOU) between 15 MS4s in the Binghamton Urbanized Area as listed above. The Coalition manages MCM 1 Education and outreach activities for coalition members, assists with MCM 2, and maintains the GIS inventory of stormwater assets. The Memorandum of Understanding between the Village & Coalition is included as Appendix D.

## MCM 1 – Public Education and Outreach.

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The Broome Tioga Stormwater Coalition manages the Minimum Control Measure 1 activities on behalf of all 15 municipalities. Refer to the BTSC MCM 1 SWMP which can be found on [broometiogastormwater.com](http://broometiogastormwater.com).

## Minimum Control Measure 2: Public Involvement and Participation<sup>1</sup>

*Pertaining to opportunities to involve the public in the development, review, and implementation of the SWMP.*

The public will have an opportunity to get involved in developing, reviewing, and/or implementing the SWMP through Public Comment at the July 16, 2024, Regular Village Board Meeting. Notice of this opportunity will be distributed by posting on the Village's website and social media accounts. It will also be displayed in the Lobby of Village Hall.

The following staff person will serve as point of contact for public concerns regarding stormwater management and compliance issues. This contact information has been published on the stormwater page of the Village website.

*Table 1 Stormwater Issues Public Contact*

<b>Name</b>	<u>Joshua Holland</u>
<b>Title</b>	<u>Director of Public Servies – Stormwater Management Officer</u>
<b>Phone</b>	<u>607.797.3031</u>
<b>e-mail</b>	<u>jcdops@villageofjc.com</u>

Public comments received on the SWMP plan and intended responses will be documented, annually, in an appendix to this plan. When public input is received, the Village will update the SWMP plan, when appropriate, within thirty (30) days.

*Pertaining to opportunities to involve the public in the development and review of the Annual Report.*

The annual report will be posted for public review and comment online at broometiogastormwater.com and at villageofjc.com. Copies of the report will also be available for public review at the Southern Tier 8 Regional Board: 49 Court Street, Suite 222, Binghamton NY 13901 and Johnson City Village Hall: 60 Lester Ave, Johnson City, NY 13790.

Presentation of the draft annual report will be given during the quarterly Broome Tioga Stormwater Coalition meeting where the public will have the ability to ask questions and make comments on the draft annual report.

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<sup>1</sup> Part VI

## Minimum Contral Measure 3: Illicit Discharge Detection and Elimination<sup>2</sup>

*Pertaining to the development, implementation and enforcement of a program that systematically detects, tracks down and eliminates illicit discharges to the MS4 and ensure pollutants are not being conveyed to waterways.*

### Illicit Discharge Detection:

#### Public reporting

The public can report instances of suspected illicit discharge to the Village DPW at 607.797.3031 or jcdops@villageofjc.com. Reports will be documented in the SWMP. Each report must be completed within 30 days of the instance.

*Table 2. Documentation of Illicit Discharge Reports from the Public.*

Date of report	Location of illicit discharge	Nature of illicit discharge	Follow up action taken, including time taken to respond	Outcomes and enforcement actions taken.
N/A - Future				

#### Monitoring Location Inventory and Prioritization:

By January 3<sup>rd</sup> 2027, the Village will develop and begin to maintain an inventory of monitoring locations. This will be documented in the SWMP, as an appendix. This should be completed following requirements on page 24-25 of GP-0-24-001. Similarly, by January 2<sup>nd</sup> 2027 these monitoring locations must be prioritized following criteria on page 25 of GP-0-24-001.

#### Monitoring Locations Inspection and Sampling Program:

Procedures for inspecting and sampling monitoring locations will also be completed and documented in this SWMP by January 3<sup>rd</sup> 2026. This plan should be developed based on the requirements listed on page 25-27 of GP-0-24-001.

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<sup>2</sup> (Part V.I.C)



### Training:

All staff performing inspection and sampling procedures as prescribed by the Inspection and Sampling Program Plan must be trained on procedures prior to undertaking those duties and every 5 years after. If the operation and procedures are changed at any point, staff must be trained before implementing new procedures. The following staff have been trained, and this list is updated annually and/or as needed:

*Table 3. Documentation of staff completing inspection and sampling procedure training.*

<b>Name</b>	<b>Title</b>	<b>Contact</b>	<b>Date Completed</b>
Timothy Sherman	DPW Supervisor	607.797.3031	
Evan Verrastro	Foreman	607.797.3031	
Christopher White	Sewer HEO	607.797.3031	
Jason Sick	Sewer HEO	607.797.3031	
Christopher Kokesh	Sewer HEO	607.797.3031	
Justin Shuba	Sewer HEO	607.797.3031	

### Illicit Discharge Track-Down:

Procedures for inspecting and sampling monitoring locations must be completed and documented in this SWMP by January 3<sup>rd</sup> 2026. This plan should be developed based on the requirements listed on page 27-28 of GP-0-24-001.

### Training:

All staff performing illicit discharge track-down procedures as prescribed by the Illicit Discharge track down Plan must be trained in procedures prior to undertaking those duties and every 5 years after. If the operation and procedures are changed at any point, staff must be trained before implementing new procedures. The following staff have been trained, and this list is updated annually and/or as needed:

*Table 4. Documentation of staff completing illicit discharge track down procedure training*

<b>Name</b>	<b>Title</b>	<b>Contact</b>	<b>Date Completed</b>
Joshua Holland	Director of Public Services	607.797.3031	
Timothy Sherman	DPW Supervisor	607.797.3031	
Evan Verrastro	Foreman	607.797.3031	

## Illicit Discharge Elimination:

Procedures for inspecting and sampling monitoring locations will be completed and documented in this SWMP by January 3<sup>rd</sup>, 2026. This plan should be developed based on the requirements listed on page 28-29 of GP-0-24-001.

### Training:

All staff performing illicit discharge elimination procedures as prescribed by the Illicit Discharge track down program must be trained in procedures prior to undertaking those duties and every 5 years after. If the operation and procedures are changed at any point, staff must be trained before implementing new procedures. The following staff have been trained, and this list is updated annually and/or as needed.

*Table 5. Documentation of staff completing illicit discharge track down procedure training.*

Name	title	contact	Date completed
Evan Verrastro	Foreman	607.797.3031	
Christopher White	Sewer HEO	607.797.3031	
Jason Sick	Sewer HEO	607.797.3031	
Christopher Kokesh	Sewer HEO	607.797.3031	
Justin Shuba	Sewer HEO	607.797.3031	

## Minimum Control Measure 4: Construction Site Stormwater Runoff Control<sup>3</sup>:

*Pertaining to development, implementation, and enforcement of a program to ensure construction sites are controlled. This is designed to prevent construction related pollutants from entering waterways and promote proper planning and implementation of stormwater management practices.*

*The stormwater runoff control program must address stormwater runoff to the MS4 from sites with construction activities that either result in a total land disturbance of greater than or equal to one acre, or disturb less than one acre if part of a larger development.*

### Public Complaints

The Village has established the following phone or email contact for members of the public to report stormwater-related complaints from construction sites. Each complaint will be documented and appropriately investigated. For each complaint received, a report must be made and retained. This form is included as Attachment 1.

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<sup>3</sup> Part VI.D

Table 6. Public Stormwater construction complaint contact information

<b>Name</b>	<u>Joshua Holland</u>
<b>Title</b>	<u>Stormwater Management Officer</u>
<b>Phone</b>	<u>607.797.3031</u>
<b>e-mail</b>	<u>jcdops@villageofjc.com</u>

## Construction Oversight Program<sup>4</sup>

Before January 3, 2024, the Village will develop a program , and procedures will be documented in this plan.

The Village's Construction Oversight Program that documents will document the following:

1. When the construction site stormwater control program applies.
2. What types of construction activity require a SWPPP.
3. The procedures for submission of SWPPPs
4. SWPPP review requirements.
5. Pre-construction oversight requirements.
6. Construction site inspection requirements and documentation procedures.
7. Construction site close-out requirements.
8. Enforcement process/expectations for compliance.
9. Other procedures associated with the control of stormwater runoff from applicable construction activities.
10. Implementation:

Table 7. Documentation of Construction Site inspections

<b>Date</b>	<b>Site</b>	<b>Inspector</b>	<b>Violations</b>	<b>Enforcement action</b>	<b>Follow up</b>
Future – N/A					

Staff responsible for implementing this plan must be trained before beginning work and every 5 years thereafter. Table 7 records staff who have received this training.

Table 8. Documentation of Staff who completed Construction Oversight Training

<b>Name</b>	<b>Title</b>	<b>Contact</b>	<b>Date completed</b>
Joshua Holland	Director of Public Services	<a href="mailto:jcdops@villageofjc.com">jcdops@villageofjc.com</a>	
Timothy Sherman	DPW Supervisor	<a href="mailto:dpwsupr@villageofjc.com">dpwsupr@villageofjc.com</a>	

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<sup>4</sup> Part VI.D.3 Pg 30

The Village requires that those involved in construction activities (contractors, subcontractors, qualified to inspect, SWPPP reviewers) have received 4 hours of training in proper erosion and sediment control principles. Training Certificates are required to be reviewed and approved by the Village Stormwater Management Officer prior to commencing work.

## Construction Site Inventory and Inspection Tracking

As part of maintaining proper oversight of projects, the Village maintains an inventory of applicable construction projects. This inventory will be maintained throughout the year and be updated in the SWMP document annually. The inventory includes the following information (see attachment 3 for inventory table):

1. Location of the Construction site
2. Owner/ operator contact information
3. Receiving watery body name and class
4. Receiving waterbody WI/PWL segment ID
5. Prioritization
6. Construction Project SPDES ID number
7. SWPPP approval date
8. Inspection history, dates, and ratings

### Construction Site Prioritization

Within one year of the EDC, the MS4 Operator must prioritize all construction sites which are included in the construction site inventory. Within 30 days of becoming active, MS4 operators must prioritize the construction site and update the construction site prioritization in the inventory annually and document it in the SWMP. Prioritizations are listed in the inventory, attachment 3.

## SWPPP Review

*Table 9. Staff who have completed DEC approved 4 hr. Course*

<b>Name</b>	<b>Title</b>	<b>Contact Information</b>	<b>Date completed</b>
Joshua Holland	Director of Public Services	<a href="mailto:jcdops@villageofjc.com">jcdops@villageofjc.com</a>	03/22/2023
Timothy Sherman	DPW Supervisor	<a href="mailto:dpwsupr@villageofjc.com">dpwsupr@villageofjc.com</a>	03/22/2023

## Construction Inspection

### Pre-Construction Meeting

The Village Stormwater Management Officer will ensure a pre-construction meeting is conducted prior to the commencement of construction activities. The Village Stormwater Management Officer will review the MS4's construction oversight program and expectations for compliance with the constructor.

Refer to Attachment 2 for the pre-construction meeting worksheet.

### Construction Site Inspections

The Village will ensure individuals responsible for construction site inspections receive 4 hours of Department-endorsed training in proper erosion and sediment control principles within 3 years of the EDC and every 3 years thereafter.

*Table 9. Staff who have completed DEC approved 4 hr. Course and perform Construction Site Inspections:*

Name	Title	Contact Information	Date completed
Joshua Holland	Director of Public Services	<a href="mailto:jcdops@villageofjc.com">jcdops@villageofjc.com</a>	03/22/2023
Timothy Sherman	DPW Supervisor	<a href="mailto:dpwsupr@villageofjc.com">dpwsupr@villageofjc.com</a>	03/22/2023

The Village will annually inspect all sites with construction activity identified in the inventory, during active construction after the pre-construction meeting, or sooner if deficiencies are noted that require attention. If corrective actions are taken, the Village will perform follow-up construction site inspections to confirm within the timeframes established by the CGP and the Village's ERP.

The Village will document all inspections using the Construction Site Inspection Form found in Appendix D of the General Permit.

### Construction Site Close-out

The Village will ensure a final construction site inspection is conducted and documented in the SWMP Plan, using the Construction Site Inspection Report Form (Appendix D). The Notice of Termination will be signed by the Village Stormwater Management Officer to indicate project completion.

## Minimum Control Measure 5: Post Construction Stormwater Management<sup>5</sup>

*Pertaining to development, implementation, and enforcement of a program to ensure proper operation and maintenance of post construction stormwater practices for new or redeveloped sites.*

The Village SMP program addresses stormwater runoff to the MS4 from a publicly owned/operated and privately owned/operated post-construction SMP that either is a post-construction SMP that has been installed as part of any CGP covered construction site or individual SPDES permit (since March 10, 2003) and/or all new post-construction SMPs constructed as part of the construction site stormwater runoff control program.

*Table 10. Documentation of SMP Training*

<b>Name</b>	<b>Title</b>	<b>Contact Information</b>	<b>Date completed</b>
Timothy Sherman	DPW Supervisor	607.797.3031	
Evan Verrastro	Foreman	607.797.3031	
Christopher White	Sewer HEO	607.797.3031	
Jason Sick	Sewer HEO	607.797.3031	
Christopher Kokesh	Sewer HEO	607.797.3031	
Justin Shuba	Sewer HEO	607.797.3031	

### Post- Construction SMP Inventory and Inspection Tracking:

The Village will maintain the inventory from previous iterations of the SPDES general permit for post-construction SMPs installed after March 10, 2003 and develop the inventory for post-construction SMPs installed after March 10, 2003 as they are approved or discovered, and/or after the owner/operator for the construction activity has filled out the Notice of Termination and update the inventory annually.

Within 5 years of the EDC, the MS4 Operator will provide the inventory spreadsheet on post-construction SMPs (Attachment 4).

### Post construction Inspection and Maintenance Program:

By January 2<sup>nd</sup> 2025, the Village will develop, implement, and document a post construction SMP inspection and maintenance program following the criteria on page 37-38 of GP-0-24-001.

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<sup>5</sup> Part VI. E

# Minimum Control Measure 6: Pollution Prevention and Good Housekeeping<sup>6</sup>

## Municipality facilities

By January 2<sup>nd</sup> 2027, BMPs must be incorporated into the municipal facility program and municipal operations this should be completed according to the BMPs described on pages 39-43 of GP-0-24-001. The Facility program must specify the facility procedures and training procedures.

By January 2<sup>nd</sup> 2026, an inventory of all municipal facilities must be completed including information listed on pg. 44 of GP-0-24-001. **See attachment 5 for the related table to fulfill this requirement.**

By January 2<sup>nd</sup> 2029 a facility specific SWPP must be complete for each high priority facility. This is described on page 45-48 of GP-0-24-001.

## Municipal Operations

Training of municipal staff will include [\[describe training topics and procedures\]](#). The names and contact details of staff who have received training in municipal operations procedures is documented in the following table. This will be updated annually.

*Table 11. Documentation of Staff completing municipal operations procedures training.*

Name	title	contact	Topic	Date completed
Joshua Holland	Director of Public Services	<a href="mailto:jcdops@villageofjc.com">jcdops@villageofjc.com</a>		
Timothy Sherman	DPW Supervisor	<a href="mailto:dpwsupr@villageofjc.com">dpwsupr@villageofjc.com</a>		
Evan Verrastro	Foreman	607.797.3031		

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<sup>6</sup> Part VI.F

**Attachment 1: Construction Site Complaint Documentation Items (MCM 4)**

Construction Site Complaint	
Date of Report	
Location of site	
Nature of Complaint	
Follow up taken or needed	
Inspection outcomes	
Enforcement outcomes	



Attachment 2:

**Pre-Construction Meeting Worksheet (MCM 4)**

Pre-Construction Meeting Worksheet	
Date of Meeting	
Construction Project Name/Location	
Name of Owner/Operator listed on the CGP NOI (if different from MS4 Operator)	
Name of MS4 Operator	
Name Contractor(s) responsible for implementing the SWPPP for the Construction activity	
Name of Qualified Inspector (if required for construction activity)	
<b>Questions for Review</b>	
Has the project received, or will it receive coverage under the CGP or an individual SPDES permit?	
Do contractors and subcontractors have at least one individual who has received 4 hours of department-endorsed training in proper erosion and sediment control principles?	
Has the MS4 Operator reviewed the construction oversight program and expectations for compliance with the contractors and subcontractors?	

**Attachment 3: Construction Site Inventory (MCM 4)**

Address	Owner/Operator Contact	Receiving Waterbody Name & Class	Receiving waterbody WI/PWL Segment ID	Prioritization	Construction Project SPDES ID #	Ownership	SWPPP approval date	Inspection History – Date & Rating
601 Harry L Drive	Oakdale Commons	Susquehanna River	0603-002	1			07/14/2022	06/20/2024

#### Attachment 4: Post Construction SMP Spreadsheet (MCM 5)

SMP #	Street address/tax parcel	Type	Receiving waterbody name & class	Receiving waterbody WI/PWL Segment ID	Date of Installation / Discovery	Ownership	Responsible party for maintenance	Contact information for party responsible for maintenance	Location of documentation for )&M requirements and legal agreements for post construction SMP	Frequency for inspection	Reason for installation	Date of last inspection	Inspection results	Corrective actions taken (if any)
1	Field Street – Hampton Inn	Pond	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Retention/Infiltration	4/25/24	OK	N/A
2	498-500 Reynolds Rd	Pond	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Retention/Infiltration	4/25/24	OK	N/A
3	420 Harry L Drive	Infiltration	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Infiltration	4/25/24	Groundwater High – Manhole Full	N/A
4	339 & 345 Main St	Pond	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Retention/Infiltration	4/25/24	OK	N/A
5	80 Arch St	Infiltration	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Infiltration	4/25/24	OK	N/A
6	90 Lester Ave	Filter System	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Infiltration	4/25/24	OK	N/A
7	Anna Maria Drive	Pond	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Retention/Infiltration	4/25/24	OK	N/A
8	Columbia & Rose Lane – JCSD	Pond	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Retention/Infiltration	4/25/24	OK	N/A
9	60 Lester Ave – VOJC	Pond	Susquehanna River	0603-002		Private	Owner		60 Lester Ave	Quarterly	Retention/Infiltration	4/25/24	OK	N/A

## Attachment 5: Municipal Facility Inventory (MCM 6)

[illegible]

***Appendix A: MS4 Notice of Intent***

# MS4 Notice of Intent

version 1.0

(Submission #: HQ0-RB5W-3G2VZ, version 1)

## Details

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**Originally Started By** Joshua Holland

**Alternate Identifier** NYR20A101

**Submission ID** HQ0-RB5W-3G2VZ

**Status** Draft

## Form Input

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### MS4 Operator Information

Is this NOI for an MS4 Operator continuing coverage?

Yes

**Permit ID #:**  
NYR20A101

**MS4 Operator Type**  
Traditional land use control

**Traditional Land Use Control**

Traditional land use control MS4 Operator requirements are found in Part VI of the MS4 General Permit.

**Municipality Name or Legal Entity Name**  
Village of Johnson City

**Legal Municipal/Entity Mailing address**

60 Lester Ave  
Johnson City, NY 13790  
Broome

**Ranking Official**

Official Title	First and Last Name	Phone	Email
Mayor	Martin Meaney	607.797.7861	jcmayor@villageofjc.com

**NOI Preparer**

NOI Preparer Title	First and Last Name	Phone	Email
Other: Director of Public Services & Stormwater Management Officer	Joshua Holland	607.797.3031	jcdops@villageofjc.com

### NAICS Codes

Federal, State or Local Government - 924110

Military Bases - 928110

Highway, road or other thoroughfare system - 237310

Large Hospitals - 622110

Public Colleges and Universities - 611310

Correctional Institutions - 922140

[NAICS Code Lookup](#)

### NAICS Code

924110

**Is the MS4 Operator working with other MS4 Operators to implement the Stormwater Management Program?**

Yes

**Does the MS4 Operator have any facilities that need to obtain MSGP coverage under MSGP permit?**

No

### MS4 Location Information



**MS4 Facility Name**

Village of Johnson City

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On the map below, place the pin at the center of the MS4 Operator. This can be either the geographic center or the population center.

**Central point of the MS4 Operator**

42.11589670679078,-75.95721099578941

**Waterbody Information (1 of 2)**

If the MS4 Operator discharges to multiple waterbodies, all waterbodies must be listed. Use the 'Duplicate Waterbody Information' or 'Add New Waterbody Information' buttons to add as many waterbodies as necessary.

To find the names of waterbodies, including any impaired waterbodies, use the DEC's Stormwater Interactive Map. Under the Permit Related Layers check the box for the Impaired Waterbodies for MS4GP and the box for Waterbody Inventory/Priority Waterbodies List.

[Stormwater Interactive Map](#)

**Waterbody name and segment receiving MS4 Operator discharges**

Susquehanna River, Lower, Main Stem - 0603-0002

**Is this waterbody segment listed in Appendix C (List of Impaired Waters) of the MS4 General Permit?**

Yes

An MS4 discharging to a waterbody listed in Appendix C must meet the requirements of Part VIII. for the pollutant(s) of concern listed in Appendix C.

**For which pollutant(s) of concern is the waterbody impaired?**

Phosphorus

**Is this waterbody segment listed in Table 3 (Approved TMDL Watersheds with MS4 Contribution) of the MS4 General Permit?**

No

## **Waterbody Information (2 of 2)**

If the MS4 Operator discharges to multiple waterbodies, all waterbodies must be listed. Use the 'Duplicate Waterbody Information' or 'Add New Waterbody Information' buttons to add as many waterbodies as necessary.

To find the names of waterbodies, including any impaired waterbodies, use the DEC's Stormwater Interactive Map. Under the Permit Related Layers check the box for the Impaired Waterbodies for MS4GP and the box for Waterbody Inventory/Priority Waterbodies List.

[Stormwater Interactive Map](#)

**Waterbody name and segment receiving MS4 Operator discharges**

Little Choconut Creek and tribs - 0603-0017

**Is this waterbody segment listed in Appendix C (List of Impaired Waters) of the MS4 General Permit?**

No

**Is this waterbody segment listed in Table 3 (Approved TMDL Watersheds with MS4 Contribution) of the MS4 General Permit?**

No

## **CERTIFICATION**

**The MS4 Operator has read and understands the SPDES MS4 General Permit, GP-0-24-001, as it pertains to permit requirements as well as the timeframes for compliance set forth in the permit.**

Yes

**I am the ranking elected official or Principal Executive Officer for the MS4 Operator and will be signing the form electronically.**

Yes

As the Ranking Elected Official or Principal Executive Officer, please download the certification form from the link below. Complete and sign the certification. Then upload the certification form to this NOI.

This certification form must be signed and uploaded every time the NOI is submitted.

[Certification Form](#)

**Attach completed certification form.**

ms4eNOIcertification.Signed.pdf - 02/19/2024 10:28 AM

**Comment**

NONE PROVIDED

## **Attachments**

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Date	Attachment Name	Context	User
2/19/2024 10:28 AM	ms4eNOIcertification.Signed.pdf	Attachment	Joshua Holland

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Water

625 Broadway, Albany, New York 12233-3500

P: (518) 402-8233 | F: (518) 402-9029

[www.dec.ny.gov](http://www.dec.ny.gov)

## MS4 Operator Certification Form for eReports

### SPDES General Permit for Stormwater Discharges From Municipal Separate Storm Sewer Systems (GP-0-24-001)

#### Instructions

Please review Part X.J. of GP-0-24-001 before signing this form. A signature by an unauthorized person will delay permit coverage.

This form must be signed by one of the following:

1. For a corporation: by a responsible corporate officer
2. For a partnership: by a general partner
3. For a sole proprietorship: by the proprietor
4. For a municipality, state, federal or other public agency: by a principal executive officer or ranking elected official

MS4 Operator Name: Village of Johnson City

eReport Submission Number: HQ0-RB5W-3G2VZ

#### MS4 Operator Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Joshua L Holland

Name (please print or type)

Director


Title

Public Services

Organization

Joshua L  
Holland

Signature

 Digitally signed by Joshua L.  
Holland  
Date: 2024.02.19 10:26:27  
-05'00'

02/19/2024

Date



Department of  
Environmental  
Conservation

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Permits  
625 Broadway, Albany, New York 12233-3505  
P: (518) 402-8111 | F: (518) 402-9029  
[www.dec.ny.gov](http://www.dec.ny.gov)

3/1/2024

## **Re: Acknowledgement of Notice of Intent for Coverage under SPDES General Permit for Municipal Separate Storm Sewer Systems (GP-0-24-001)**

Dear Village of Johnson City,

This is to acknowledge that the New York State Department of Environmental Conservation (DEC) received a complete electronic Notice of Intent (eNOI) for the MS4 Operator:

Village of Johnson City

Pursuant to 6 NYCRR 750-1.21(d) and Part II of the SPDES MS4 GP, GP-0-24-001, Village of Johnson City is authorized to discharge stormwater under the terms and conditions of the SPDES MS4 GP, GP-0-24-001, starting on the effective date of **01/03/2024**. Village of Johnson City must comply with all requirements contained in the MS4 GP, GP-0-24-001.

The following SPDES ID No. should be included in all correspondences with the DEC:

SPDES ID No:                      NYR20A101

Should you have any questions regarding any aspect of the requirements in the MS4 GP, GP-0-24-001, please contact [MS4GP@dec.ny.gov](mailto:MS4GP@dec.ny.gov) or (518) 402-8111.

Sincerely,



Meredith Streeter, P.E.  
Chief, Central Section  
Bureau of Water Permit



Department of  
Environmental  
Conservation

***Appendix B: JC CODE § 237 Storm Sewers***

**CODE OF THE VILLAGE OF JOHNSON CITY, NEW YORK, v16 Updated 03-15-2009  
/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS**

**Chapter 237, STORM SEWERS**

[HISTORY: Adopted by the Board of Trustees of the Village of Johnson City as indicated in article histories. Amendments noted where applicable.]

**GENERAL REFERENCES**

Building code administration -- See Ch. 114.

Drainage and watercourses -- See Ch. 136.

Stormwater management and erosion and sediment control -- See Ch. 238.

Subdivision of land -- See Ch. 244.

Wellhead, aquifer recharge and watershed protection zones -- See Ch. 272.

Zoning -- See Ch. 274.

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/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN]**

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**ARTICLE I, Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by  
L.L. No. 5-2007EN<sup>(1)</sup>]**

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**CODE OF THE VILLAGE OF JOHNSON CITY, NEW YORK, v16 Updated 03-15-2009  
/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-1. Purpose; intent.**

**§ 237-1. Purpose; intent.**

The purpose of this article is to provide for the health, safety, and general welfare of the citizens of the Village of Johnson City through the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This article establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems. The objectives of this article are:



- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-02-02, or as amended or revised;
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge nonstormwater wastes;
- C. To prohibit illicit connections, activities and discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this article; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

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/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-2. Definitions.**

**§ 237-2. Definitions.**

Whenever used in this article, unless a different meaning is stated in a definition applicable to only a portion of this article, the following terms will have meanings set forth below:

**BEST MANAGEMENT PRACTICES (BMPs)** -- Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

**CLEAN WATER ACT** -- The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

**CONSTRUCTION ACTIVITY** -- Activities requiring authorization under the SPDES Permit for Stormwater Discharges From Construction Activity, GP-02-01, as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

**DEPARTMENT** -- The New York State Department of Environmental Conservation.

**DESIGN PROFESSIONAL** -- New York State licensed professional engineer or licensed architect.

**HAZARDOUS MATERIALS** -- Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**ILLICIT CONNECTIONS** -- Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:

- A. Any conveyances which allow any nonstormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
- B. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

**ILLICIT DISCHARGE** -- Any direct or indirect nonstormwater discharge to the MS4, except as exempted in § 237-5 of this article.

**INDIVIDUAL SEWAGE TREATMENT SYSTEM** -- A facility serving one or more parcels of land or residential households, or a private, commercial or institutional facility, that treats sewage or other liquid wastes for discharge into the groundwaters of New York State, except where a permit for such a facility is required under the applicable provisions of Article 17 of the Environmental Conservation Law.

**INDUSTRIAL ACTIVITY** -- Activities requiring the SPDES Permit for Discharges From Industrial Activities Except Construction, GP-98-03, as amended or revised.

**MS4** -- Municipal separate storm sewer system.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM** -- A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- A. Owned or operated by the Village of Johnson City;
- B. Designed or used for collecting or conveying stormwater;

C. Which is not a combined sewer; and

D. Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

MUNICIPALITY -- The Village of Johnson City.

NONSTORMWATER DISCHARGE -- Any discharge to the MS4 that is not composed entirely of stormwater.

PERSON -- Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

POLLUTANT -- Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards.

PREMISES -- Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

#### SPECIAL CONDITIONS

- A. Discharge compliance with water quality standards: the condition that applies where a municipality has been notified that the discharge of stormwater authorized under his or her MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition, the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.
- B. 303(d) listed waters: the condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition, the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.
- C. Total maximum daily load (TMDL) strategy: the condition in the municipality's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a water body or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
- D. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any water body or watershed into which an MS4 discharges: Under this

condition, the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

**STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER DISCHARGE PERMIT** -- A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.

**STORMWATER** -- Rainwater, surface runoff, snowmelt and drainage.

**STORMWATER MANAGEMENT OFFICER (SMO)** -- An employee, the municipal engineer or other public official(s) designated by the Village of Johnson City to enforce this article. The SMO may also be designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

**303(d) LIST** -- A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

**TMDL** -- Total maximum daily load.

**TOTAL MAXIMUM DAILY LOAD** -- The maximum amount of a pollutant to be allowed to be released into a water body so as not to impair uses of the water allocated among the sources of that pollutant.

**WASTEWATER** -- Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

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/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-3. Applicability.**

**§ 237-3. Applicability.**

This article shall apply to all water entering the MS4 generated on any developed and

undeveloped lands unless explicitly exempted by an authorized enforcement agency.

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/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-4. Responsibility for administration.**

**§ 237-4. Responsibility for administration.**

The Stormwater Management Officer(s) [SMO(s)] shall administer, implement, and enforce the provisions of this article. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO as may be authorized by the municipality.

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/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-5. Discharge prohibitions; exceptions.**

**§ 237-5. Discharge prohibitions; exceptions.**

A. Prohibition of illegal discharges. No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in Subsection A(1). The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:

- (1) The following discharges are exempt from discharge prohibitions established by this article, unless the Department or the municipality has determined them to be substantial contributors of pollutants: water line flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains, crawl space or basement sump pumps, air-conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire-fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.
- (2) Discharges approved in writing by the SMO to protect life or property from imminent harm or damage, provided that, such approval shall not be construed to constitute

compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this article.

- (3) Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires a verbal notification to the SMO prior to the time of the test.
- (4) The prohibition shall not apply to any discharge permitted under an SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.

**B. Prohibition of illicit connections.**

- (1) The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.
- (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A person is considered to be in violation of this article if the person connects a line conveying sewage to the municipality's MS4 or allows such a connection to continue.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-6. Failing individual sewage treatment systems prohibited.**

**§ 237-6. Failing individual sewage treatment systems prohibited.**

No persons shall operate a failing individual sewage treatment system in areas tributary to the municipality's MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:

- A. The backup of sewage into a structure.
- B. Discharges of treated or untreated sewage onto the ground surface.
- C. A connection or connections to a separate stormwater sewer system.

- D. Liquid level in the septic tank above the outlet invert.
- E. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section.
- F. Contamination of off-site groundwater.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-7. Activities contaminating stormwater prohibited.**

**§ 237-7. Activities contaminating stormwater prohibited.**

- A. Activities that are subject to the requirements of this section are those types of activities that:
  - (1) Cause or contribute to a violation of the municipality's MS4 SPDES permit.
  - (2) Cause or contribute to the municipality being subject to the special conditions as defined in, § 237-2, Definitions, of this article.
- B. Such activities include failing individual sewage treatment systems as defined in § 237-6, improper management of pet waste or any other activity that causes or contributes to violations of the municipality's MS4 SPDES permit authorization.
- C. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-8. Prevention control and reduction of stormwater pollutants.**

**§ 237-8. Prevention control and reduction of stormwater pollutants.**

- A. Best management practices. Where the SMO has identified illicit discharges as defined in § 237-2 or activities contaminating stormwater as defined in § 237-8, the municipality may require implementation of best management practices (BMPs) to control those illicit discharges and activities.

- (1) The owner or operator of a commercial or industrial establishment shall provide, at his or her own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and nonstructural BMPs.
  - (2) Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge as defined in § 237-2 or an activity contaminating stormwater as defined in § 237-7, may be required to implement, at said person's expense, additional structural and nonstructural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.
  - (3) Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.
- B. Individual sewage treatment systems; response to special conditions requiring no increase of pollutants or requiring a reduction of pollutants. Where individual sewage treatment systems are contributing to the municipality's being subject to the special conditions as defined in § 237-2 of this article, the owner or operator of such individual sewage treatment systems shall be required to:
- (1) Maintain and operate individual sewage treatment systems as follows:
    - (a) Inspect the septic tank annually to determine scum and sludge accumulation. Septic tanks must be pumped out whenever the bottom of the scum layer is within three inches of the bottom of the outlet baffle or sanitary tee or the top of the sludge is within 10 inches of the bottom of the outlet baffle or sanitary tee.
    - (b) Avoid the use of septic tank additives.
    - (c) Avoid the disposal of excessive quantities of detergents, kitchen wastes, laundry wastes, and household chemicals; and
    - (d) Avoid the disposal of cigarette butts, disposable diapers, sanitary napkins, trash and other such items.
  - (2) Most tanks should be pumped out every two to three years. However, pumping may be more or less frequent, depending on use. Inspection of the tank for cracks, leaks and blockages should be done by the septage hauler at the time of pumping of the tank contents.
  - (3) Repair or replace individual sewage treatment systems as follows:
    - (a) In accordance with 10 NYCRR, Appendix 75-A to the maximum extent practicable.



- (b) A design professional licensed to practice in New York State shall prepare design plans for any type of absorption field that involves:
  - [1] Relocating or extending an absorption area to a location not previously approved for such.
  - [2] Installation of a new subsurface treatment system at the same location.
  - [3] Use of alternate system or innovative system design or technology.
- (c) A written certificate of compliance shall be submitted by the design professional to the municipality at the completion of construction of the repair or replacement system.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-9. Suspension of access to MS4.**

**§ 237-9. Suspension of access to MS4.**

- A. Illicit discharges in emergency situations. The SMO may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.
- B. Suspension due to the detection of illicit discharge. Any person discharging to the municipality's MS4 in violation of this article may have his or her MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section without the prior approval of the SMO.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-10. Industrial or construction activity discharges.**

**§ 237-10. Industrial or construction activity discharges.**

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of discharges to the MS4.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-11. Applicability; access to facilities; monitoring of  
discharges.**

**§ 237-11. Applicability; access to facilities; monitoring of discharges.**

- A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this article, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this article.
- B. Access to facilities.
- (1) The SMO shall be permitted to enter and inspect facilities subject to regulation under this article as often as may be necessary to determine compliance with this article. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO.
  - (2) Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this article.
  - (3) The municipality shall have the right to set up on any facility subject to this article such devices as are necessary in the opinion of the SMO to conduct monitoring and/or sampling of the facility's stormwater discharge.

- (4) The municipality has the right to require the facilities subject to this article to install monitoring equipment as is reasonably necessary to determine compliance with this article. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (5) Unreasonable delays in allowing the municipality access to a facility subject to this article is a violation of this article. A person who is the operator of a facility subject to this article commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this article.
- (6) If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this article or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-12. Notification of spills.**

**§ 237-12. Notification of spills.**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, said person shall notify the municipality in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the municipality within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at

least three years.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-13. Enforcement; penalties for offenses.**

**§ 237-13. Enforcement; penalties for offenses.**

**A. Notice of violation.**

- (1) When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of this article, he/she may order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:
  - (a) The elimination of illicit connections or discharges;
  - (b) That violating discharges, practices, or operations shall cease and desist;
  - (c) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
  - (d) The performance of monitoring, analyses, and reporting;
  - (e) Payment of a fine; and
  - (f) The implementation of source control or treatment BMPs.
- (2) If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

- B. Penalties.** In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this article shall be guilty of a violation punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for

a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this article shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

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/ PART II GENERAL LEGISLATION / Chapter 237, STORM SEWERS / ARTICLE I,  
Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-14. Appeal of notice of violation.**

**§ 237-14. Appeal of notice of violation.**

Any person receiving a notice of violation may appeal the determination of the SMO to the Village Board of Trustees within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the municipal clerk and mail a copy of its decision by certified mail to the discharger.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-15. Corrective measures after appeal.**

**§ 237-15. Corrective measures after appeal.**

- A. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within five business days of the decision of the municipal authority upholding the decision of the SMO, then the SMO shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.
- B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-16. Injunctive relief.**

**§ 237-16. Injunctive relief.**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. If a person has violated or continues to violate the provisions of this article, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-17. Alternative remedies.**

**§ 237-17. Alternative remedies.**

- A. Where a person has violated a provision of this article, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Municipal Attorney and concurrence of the Municipal Code Enforcement Officer, where:
- (1) The violation was unintentional.
  - (2) The violator has no history of previous violations of this article.
  - (3) Environmental damage was minimal.
  - (4) The violator acted quickly to remedy violation.
  - (5) The violator cooperated in investigation and resolution.
- B. Alternative remedies may consist of one or more of the following:
- (1) Attendance at compliance workshops.
  - (2) Storm drain stenciling or storm drain marking.
  - (3) River, stream or creek cleanup activities.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-18. Violations deemed a public nuisance.**

**§ 237-18. Violations deemed a public nuisance.**

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

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Illicit Discharges, Activities and Connections [Adopted 8-14-2007 by L.L. No.  
5-2007EN] / § 237-19. Remedies not exclusive.**

**§ 237-19. Remedies not exclusive.**

The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

## **Endnotes**

### **1 (Popup - Popup)**

Editor's Note: This local law was originally designated to be added as Chapter 233 but was renumbered to maintain the organization of the Code.



***Appendix C: JC CODE § 238***  
***Stormwater Management and***  
***Erosion and Sediment Control***

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AND EROSION AND SEDIMENT CONTROL**

**Chapter 238, STORMWATER MANAGEMENT AND EROSION AND  
SEDIMENT CONTROL**

[HISTORY: Adopted by the Board of Trustees of the Village of Johnson City 5-27-2007 by L.L. No. 2-2007. Amendments noted where applicable.]

**GENERAL REFERENCES**

Building code administration -- See Ch. 114.

Drainage and watercourses -- See Ch. 136.

Storm sewers -- See Ch. 237.

Subdivision of land -- See Ch. 244.

Wellhead, aquifer recharge and watershed protection zones -- See Ch. 272.

Zoning -- See Ch. 274.

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AND EROSION AND SEDIMENT CONTROL / ARTICLE I, Findings of Fact;  
Purpose; Statutory Authority; Applicability; Exemptions**

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**ARTICLE I, Findings of Fact; Purpose; Statutory Authority; Applicability;  
Exemptions**

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AND EROSION AND SEDIMENT CONTROL / ARTICLE I, Findings of Fact;  
Purpose; Statutory Authority; Applicability; Exemptions / § 238-1. Findings of  
fact.**

**§ 238-1. Findings of fact.**

It is hereby determined that:

- A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes,

flooding, stream channel erosion, or sediment transport and deposition;

- B. This stormwater runoff contributes to increased quantities of waterborne pollutants, including siltation of aquatic habitat for fish and other desirable species;
- C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;
- D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff, thereby increasing streambank erosion and sedimentation;
- E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;
- F. Substantial economic losses can result from these adverse impacts on the waters of the municipality;
- G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;
- H. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety.
- I. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

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AND EROSION AND SEDIMENT CONTROL / ARTICLE I, Findings of Fact;  
Purpose; Statutory Authority; Applicability; Exemptions / § 238-2. Purpose.**

**§ 238-2. Purpose.**

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the findings of fact in § 238-1 hereof. This chapter seeks to meet those purposes by achieving the following objectives:

- A. Meet the requirements of Minimum Measures 4 and 5 of the SPDES General Permit for

Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02, or as amended or revised;

- B. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01, or as amended or revised;
- C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion and maintain the integrity of stream channels;
- D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

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Purpose; Statutory Authority; Applicability; Exemptions / § 238-3. Statutory  
authority.**

**§ 238-3. Statutory authority.**

In accordance with § 10 of the Municipal Home Rule Law of the State of New York, the Village Board of Trustees of the Village of Johnson City has the authority to enact local laws and amend local laws and for the purpose of promoting the health, safety or general welfare of the Village of Johnson City and for the protection and enhancement of its physical environment. The Village Board of Trustees of Johnson City may include in any such local law provisions for the appointment of any municipal officer, employees, or independent contractor to effectuate, administer and enforce such local law.

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AND EROSION AND SEDIMENT CONTROL / ARTICLE I, Findings of Fact;  
Purpose; Statutory Authority; Applicability; Exemptions / § 238-4. Applicability.**

**§ 238-4. Applicability.**

- A. This chapter shall be applicable to all land development activities as defined in this chapter.
- B. The municipality shall designate a Stormwater Management Officer who shall accept and review all stormwater pollution prevention plans and forward such plans to the applicable municipal board. The Stormwater Management Officer may:
  - (1) Review the plans;
  - (2) Upon approval by the Village Board of Trustees of the Village of Johnson City, engage the services of a registered professional engineer to review the plans, specifications and related documents at a cost to the applicant not to exceed a fee as set forth in a schedule established by The Village Board of Trustees; or
  - (3) Accept the certification of a licensed professional that the plans conform to the requirements of this chapter.
- C. All land development activities subject to review and approval by the Planning Department, Planning Board, Zoning Board of Appeals or Village Board of Trustees of the Village of Johnson City under subdivision, zoning, site plan, and/or special permit regulations shall be reviewed subject to the standards contained in this chapter.
- D. All land development activities not subject to review as stated in Subsection C section 4.3 shall be required to submit a stormwater pollution prevention plan (SWPPP) to the Stormwater Management Officer who shall approve the SWPPP if it complies with the requirements of this chapter.

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Purpose; Statutory Authority; Applicability; Exemptions / § 238-5. Exemptions.**

**§ 238-5. Exemptions.**

The following activities may be exempt from review under this chapter:

- A. Agricultural activity as defined in this chapter.
- B. Silvicultural activity, except that landing areas and log haul roads are subject to this chapter.
- C. Routine maintenance activities that disturb less than five acres and are performed to maintain

the original line and grade, hydraulic capacity or original purpose of a facility.

- D. Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- E. Any part of a subdivision if a plat for a subdivision that has been approved by the Village of Johnson City and construction activities have started on or before the effective date of this chapter.
- F. Land development activities for which a building permit has been approved on or before the effective date of this chapter.
- G. Cemetery graves.
- H. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- I. Emergency activity immediately necessary to protect life, property or natural resources.
- J. Activities of an individual engaging in home gardening by growing flowers, vegetable and other plants primarily for use by that person and his or her family.
- K. Landscaping and horticultural activities in connection with an existing structure.

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AND EROSION AND SEDIMENT CONTROL / ARTICLE II, Stormwater Control**

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**ARTICLE II, Stormwater Control**

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238-6. Definitions.**

**§ 238-6. Definitions.**

The terms used in this chapter or in documents prepared or reviewed under this chapter shall have the meaning as set forth:

**AGRICULTURAL ACTIVITY** -- The activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and

cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

**APPLICANT** -- A property owner or agent of a property owner who has filed an application for a land development activity.

**BUILDING** -- Any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

**CHANNEL** -- A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

**CLEARING** -- Any activity that removes the vegetative surface cover.

**DEDICATION** -- The deliberate appropriation of property by its owner for general public use.

**DEPARTMENT** -- The New York State Department of Environmental Conservation.

**DESIGN MANUAL** -- The New York State Stormwater Design Manual, most recent version including applicable updates that serves as the official guide for stormwater management principles, methods and practices.

**DEVELOPER** -- A person who undertakes land development activities.

**EROSION CONTROL MANUAL** -- The most recent version of the New York Standards and Specifications for Erosion and Sediment Control manual, commonly known as the "Blue Book."

**GRADING** -- Excavation or fill of material, including the, resulting conditions thereof.

**IMPERVIOUS COVER** -- Those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snowmelt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc.).

**INDUSTRIAL STORMWATER PERMIT** -- A State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

**INFILTRATION** -- The process of percolating water into the subsoil.

**JURISDICTIONAL WETLAND** -- An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as "hydrophytic vegetation."

**LAND DEVELOPMENT ACTIVITY** -- Construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or

greater than one acre, or activities disturbing less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

**LANDOWNER** -- The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

**MAINTENANCE AGREEMENT** -- A legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

**NONPOINT SOURCE POLLUTION** -- Pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

**PHASING** -- Developing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the development of the next.

**POLLUTANT OF CONCERN** -- Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

**PROJECT** -- Land development activity.

**RECHARGE** -- The replenishment of underground water reserves.

**SEDIMENT CONTROL** -- Measures that prevent eroded sediment from leaving the site.

**SENSITIVE AREAS** -- Coldwater fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species, Critical Environmental Area designated by the municipality.

**SPDES GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES GP-02-01** -- A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

**SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS GP-02-02** -- A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.

**STABILIZATION** -- The use of practices that prevent exposed soil from eroding.



**STOP-WORK ORDER** -- An order issued which requires that all construction activity on a site be stopped.

**STORMWATER** -- Rainwater, surface runoff, snowmelt and drainage.

**STORMWATER HOTSPOT** -- A land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

**STORMWATER MANAGEMENT** -- The use of structural or nonstructural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

**STORMWATER MANAGEMENT FACILITY** -- One or a series of stormwater management practices installed, stabilized and operated for the purpose of controlling stormwater runoff.

**STORMWATER MANAGEMENT OFFICER** -- An employee or officer designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

**STORMWATER MANAGEMENT PRACTICES (SMPs)** -- Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP)** -- A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

**STORMWATER RUNOFF** -- Flow on the surface of the ground resulting from precipitation.

**STRIPPING** -- Any activity which removes or significantly disturbs trees, brush, grass, or any other kind of vegetation.

**SURFACE WATERS OF THE STATE OF NEW YORK** -- Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition, are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

SWALE -- A natural depression or wide shallow ditch used to route or filter runoff.

WATERCOURSE -- A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

WATERSHED -- A region or area contributing stormwater ultimately to a particular watercourse or body of water.

WATERWAY -- A channel that directs surface runoff to a watercourse or to the public storm drain.

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238-7. Stormwater pollution prevention plans.**

**§ 238-7. Stormwater pollution prevention plans.**

- A. Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.
- B. Contents of stormwater pollution prevention plans.
  - (1) All SWPPPs shall provide the following background information and erosion and sediment controls:
    - (a) Background information about the scope of the project, including location, type and size of project.
    - (b) Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map should show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharges(s); site map should be at a scale no smaller than one inch equals 100 feet;
    - (c) Description of the soil(s) present at the site;
    - (d) Construction phasing plan describing the intended sequence of construction

activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five acres shall be disturbed at any one time unless pursuant to an approved SWPPP.

- (e) Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;
- (f) Description of construction and waste materials expected to be stored on site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
- (g) Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project closeout;
- (h) A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;
- (i) Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
- (j) Temporary practices that will be converted to permanent control measures;
- (k) Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;
- (l) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
- (m) Name(s) of the receiving water(s);
- (n) Delineation of SWPPP implementation responsibilities for each part of the site;
- (o) Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and
- (p) Any existing data that describes the stormwater runoff at the site.

- (2) Land development activities as defined in § 238-6 of this article and meeting Condition A, B or C below shall also include water quantity and water quality controls (postconstruction stormwater runoff controls) as set forth in Subsection B(3) below as applicable:
  - (a) Condition A: stormwater runoff from land development activity(ies) discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.
  - (b) Condition B: stormwater runoff from land development activity(ies) disturbing five or more acres.
  - (c) Condition C: stormwater runoff from land development activity(ies) disturbing between one and five acres of land during the course of the project, exclusive of the construction of single-family residences and construction activities at agricultural properties.
- (3) SWPPP requirements for Conditions A, B and C:
  - (a) All information in Subsection B(1);
  - (b) Description of each postconstruction stormwater management practice;
  - (c) Site map/construction drawing(s) showing the specific location(s) and size(s) of each postconstruction stormwater management practice;
  - (d) Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
  - (e) Comparison of postdevelopment stormwater runoff conditions with predevelopment conditions;
  - (f) Dimensions, material specifications and installation details for each postconstruction stormwater management practice;
  - (g) Maintenance schedule to ensure continuous and effective operation of each postconstruction stormwater management practice;
  - (h) Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;
  - (i) Inspection and maintenance agreement binding on all subsequent landowners served

by the onsite stormwater management measures in accordance with § 238-9 of this chapter;

- (j) For Condition A, the SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meets the requirements in this chapter.
- C. Other environmental permits. The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.
- D. Contractor certification.
  - (1) Each contractor and subcontractor who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the stormwater pollution prevention plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."
  - (2) The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.
  - (3) The certification statement(s) shall become part of the SWPPP for the land development activity.
- E. A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.

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238-8. Performance and design criteria.**

**§ 238-8. Performance and design criteria.**

All land development activities shall be subject to the following performance and design criteria:

- A. Technical standards. For the purpose of this chapter, the following documents shall serve as

the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this chapter:

- (1) The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the "Design Manual");
  - (2) New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the "Erosion Control Manual").
- B. Equivalence to technical standards. Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in Subsection A and the SWPPP shall be prepared by a licensed professional.
- C. Water quality standards. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

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AND EROSION AND SEDIMENT CONTROL / ARTICLE II, Stormwater Control / §  
238-9. Maintenance, inspection and repair of stormwater facilities.**

**§ 238-9. Maintenance, inspection and repair of stormwater facilities.**

**A. Maintenance and inspection during construction.**

- (1) The applicant or developer of the land development activity shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this chapter. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.
- (2) For land development activities as defined in § 238-6 of this article and meeting Condition A, B or C in § 238-7B, the applicant shall have a qualified professional conduct site inspections and document the effectiveness of all erosion and sediment control practices every seven days and within 24 hours of any storm event producing 0.5

inch of precipitation or more. Inspection reports shall be maintained in a site logbook.

- B. Maintenance easement(s). Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village of Johnson City to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this chapter. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village of Johnson City.
- C. Maintenance after construction. The owner or operator of permanent stormwater management practices installed in accordance with this chapter shall ensure they are operated and maintained to achieve the goals of this chapter. Proper operation and maintenance also includes, as a minimum, the following:
  - (1) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this chapter.
  - (2) Written procedures for operation and maintenance and training new maintenance personnel.
  - (3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § 238-8C.
- D. Maintenance agreements. The Village of Johnson City shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of Schedule A of this chapter entitled "Sample Stormwater Control Facility Maintenance Agreement."<sup>EN(1)</sup> The Village of Johnson City, in lieu of a maintenance agreement, at its sole discretion, may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this chapter and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

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Enforcement**

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**ARTICLE III, Administration and Enforcement**

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/ PART II GENERAL LEGISLATION / Chapter 238, STORMWATER MANAGEMENT  
AND EROSION AND SEDIMENT CONTROL / ARTICLE III, Administration and  
Enforcement / § 238-10. Construction inspection.**

**§ 238-10. Construction inspection.**

**A. Erosion and sediment control inspection.**

- (1) The Village of Johnson City Stormwater Management Officer may require such inspections as necessary to determine compliance with this chapter and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this chapter and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Village of Johnson City enforcement official at least 48 hours before any of the following as required by the Stormwater Management Officer:
  - (a) Start of construction;
  - (b) Installation of sediment and erosion control measures;
  - (c) Completion of site clearing;
  - (d) Completion of rough grading;
  - (e) Completion of final grading;
  - (f) Close of the construction season;
  - (g) Completion of final landscaping;
  - (h) Successful establishment of landscaping in public areas.
- (2) If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the Stormwater Management Officer.

**B. Stormwater management practice inspections. The Village of Johnson City Stormwater**



Management Officer is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit as-built plans for any stormwater management practices located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

- C. Inspection of Stormwater Facilities After Project Completion Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher-than-typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher-than-usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.
- D. Submission of reports. The Village of Johnson City Stormwater Management Officer may require monitoring and reporting from entities subject to this chapter as are necessary to determine compliance with this chapter.
- E. Right-of-entry for inspection. When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village of Johnson City the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in Subsection C.

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Enforcement / § 238-11. Performance guarantee; maintenance guarantee;  
recordkeeping.**

**§ 238-11. Performance guarantee; maintenance guarantee; recordkeeping.**

- A. Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village of Johnson City in its approval of the stormwater pollution prevention plan, the Village of Johnson City may require the applicant or developer to provide, prior to construction, a

performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village of Johnson City as the beneficiary. The security shall be in an amount to be determined by the Village of Johnson City based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village of Johnson City, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to the Village of Johnson City. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

- B. Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village of Johnson City with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Johnson City may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.
- C. Recordkeeping. The Village of Johnson City may require entities subject to this chapter to maintain records demonstrating compliance with this chapter.

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Enforcement / § 238-12. Enforcement; penalties for offenses.**

**§ 238-12. Enforcement; penalties for offenses.**

- A. Notice of Violation. When the Village of Johnson City determines that a land development activity is not being carried out in accordance with the requirements of this chapter, it may issue a written notice of violation to the landowner. The notice of violation shall contain:
  - (1) The name and address of the landowner, developer or applicant;
  - (2) The address, when available, or a description of the building, structure or land upon

which the violation is occurring;

- (3) A statement specifying the nature of the violation;
  - (4) A description of the remedial measures necessary to bring the land development activity into compliance with this chapter and a time schedule for the completion of such remedial action;
  - (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
  - (6) A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 15 calendar days of service of notice of violation.
- B. Stop-work orders. The Village of Johnson City may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village of Johnson City confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this chapter.
- C. Violations. Any land development activity that is commenced or is conducted contrary to this chapter may be restrained by injunction or otherwise abated in a manner provided by law.
- D. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.
- E. Withholding of certificate of occupancy. If any building or land development activity is installed or conducted in violation of this chapter, the Stormwater Management Officer may

prevent the occupancy of said building or land.

- F. Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village of Johnson City may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

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AND EROSION AND SEDIMENT CONTROL / ARTICLE III, Administration and  
Enforcement / § 238-13. Fees for services.**

**§ 238-13. Fees for services.**

## **Endnotes**

### **1 (Popup - Popup)**

Editor's Note: Schedule A is included at the end of this chapter.

***Appendix D:***  
***Broome Tioga Stormwater Coalition***  
***Memorandum of Understanding***

## INTERMUNICIPAL AGREEMENT

### TO FORM THE BROOME-TIOGA STORMWATER COALITION FOR FEDERAL PHASE II MS4 STORMWATER REGULATION IMPLEMENTATION IN BROOME AND TIOGA COUNTIES

March 2024

An INTERMUNICIPAL AGREEMENT among municipal corporations of the County of Broome, Edwin L. Crawford Building, 44 Hawley St, PO Box 1766 and the County of Tioga, 56 Main Street, Owego NY 13827, hereinafter referred to as "Counties" and the City of Binghamton, 38 Hawley Street, Binghamton NY 13901, hereinafter referred to as "City" and the Town of Binghamton, 279 Park Avenue, Binghamton NY 13903, the Town of Chenango, Chenango Town Hall, 1137 Front Street, Binghamton NY 13905, the Town of Conklin, PO Box 182, 1271 Conklin Rd, Conklin NY 13748, the Town of Dickinson, 531 Old Front Street, Binghamton NY 13905, the Town of Fenton, 44 Park Street, Port Crane NY 13833, the Town of Kirkwood, 70 Crescent Drive, Kirkwood NY 13795, the Town of Owego, 2354 State Route 434, Apalachin, NY 13732, the Town of Union, 3111 E Main Street, Endwell NY 13760, the Town of Vestal, 605 Vestal Parkway W, Vestal NY 13850, hereinafter referred to as "Towns", and the Village of Endicott, 1009 E Main Street, Endicott NY 13760, the Village of Johnson City, 243 Main Street, Johnson City NY 13790, and the Village of Port Dickinson, 786 Chenango Street, Binghamton NY 13901, hereinafter referred to as "Villages".

WHEREAS, the Phase II federal stormwater regulations require that regulated small municipal separate storm sewer system operators must prepare and implement a stormwater management program that includes six minimum control measures; and;

WHEREAS, the municipalities recognize that, because watersheds and separate storm sewer systems cross municipal boundaries and because there are opportunities to save time, money, and energy by working collaboratively, the municipalities should work together to identify and analyze options for meeting the requirements of the Phase II Federal stormwater regulations; and;

WHEREAS, the Counties, Towns, Villages and City have an interest in protecting water quality and have been participating in the Broome-Tioga Stormwater Coalition and;

WHEREAS, the Towns and Villages and City and the Counties of Broome and Tioga recognize the benefits of cooperating to achieve improved water quality and flood control, and;

WHEREAS, a Broome-Tioga Stormwater Coalition started has been holding meetings since January of 2003 to identify and analyze options for pooling resources to meet the requirements of the Phase II Federal Stormwater Regulations, and;

WHEREAS, the Broome-Tioga Stormwater Coalition provides participating MS4 communities with access to public education programming, public participation events, training opportunities, collaborative annual reporting, asset mapping, and other services, and;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto mutually agree as follows:

1. To continue participation as formal members of the Broome-Tioga Stormwater Coalition.
2. To contribute an annual fee of \$4500.00 toward the implementation of Broome-Tioga Stormwater Coalition projects and programming to be submitted by March 10th of each year, the beginning of the

MS4 annual reporting period, to be submitted to Southern Tier East Regional Planning Development Board per their role in BTSC administration.

- a. For the first budget year, (March 10, 2024-March 9, 2025), communities that do not have the increase in funding allocated in their 2024 Fiscal Year budget can provide the annual fee for Year 1 and Year 2 by March 10, 2025, with a Letter of Commitment signed by their Elected Official.
3. To authorize the work of the Broome-Tioga Stormwater Coalition whose purpose it is to cooperatively implement the MS4 Stormwater Management Plans required by the DEC's Phase II Stormwater regulations and thereby oversee the utilization and expenditure of funds received on behalf of the Coalition for said purpose.
4. Each municipal corporation will designate an official representative to serve on the Broome-Tioga Stormwater Coalition. The designee shall be responsible to attend and participate in meetings of the Coalition and to transmit stormwater policy Issue questions to their municipal corporation. The designee shall also be responsible to obtain opinions on stormwater policy issues from the municipal corporation and to share such opinions with the Stormwater Coalition membership. Each municipal corporation may also designate additional representatives to participate in the work of the Stormwater Coalition in cooperation and coordination with the official representative.
5. This Agreement may be modified or amended only In writing duly executed by all parties, which shall be attached to and become a part of this Agreement.
6. Each municipal corporation shall, to the extent of its general commercial liability insurance, indemnify and hold harmless the other municipal corporations, its officers, agents and assigns for all liability arising as a result of its own acts and omissions regarding the activities under this Agreement. It is understood and agreed that no municipal corporation shall indemnify any or all of the other municipal corporations for liability arising as a result of the acts or omissions of another municipal corporation who is a party to this Agreement.
7. The Agreement shall be governed by and construed in accordance with the laws of New York State without regard or reference to its conflict of laws and principles.
8. This agreement shall become effective upon the municipal corporation's execution of the Agreement. In the event that not all of the municipal corporations identified in the initial paragraph of this Agreement execute the Agreement, the municipal corporations executing the Agreement agree that it shall be binding as to them.
9. Any municipal corporation may withdraw from this Agreement upon sixty (60) days written notice to the other municipal corporations who are parties to the Agreement. The withdrawal of one or more municipal corporation shall not result in the termination of this Agreement and its provisions shall continue to be applicable to the municipal corporations remaining parties to the Agreement.
10. This Agreement may be terminated upon the written consent of a majority of the municipal corporations who are parties to this Agreement at the time of the proposed termination.
11. This agreement is for the period of March 10, 2024-March 9, 2029.



IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: City of Binghamton

Signatory Name: JACOB KRAHAM

Signature: 

Date: 3/11/24

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: TOWN of Binghamton

Signatory Name: Elizabeth Rounds

Signature: Elizabeth Rounds

Date: 3/6/24

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:


Municipality: County of Broome

Signatory Name: Jason T. Garnar

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Resolution 24-153

Approved as to form  
By   
BROOME COUNTY  
ATTORNEY'S OFFICE

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Chenango

Signatory Name: Michael Lumsden


Signature: Michael Lumsden

Date: 3/22/24

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Town of Conklin

Signatory Name: WILLIAM C. DUNNAN, JR.

Signature: 

Date: 5/1/2024

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Town of Dickson

Signatory Name: Michael Marinaccio

Signature: Michael Marinaccio

Date: 3/11/24

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Village of Endicott

Signatory Name: Anthony Bates

Signature: Anthony Bates

Date: 3/18/2024

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Town of Fenton

Signatory Name: Gary J. Holcomb

Signature: Gary J. Holcomb

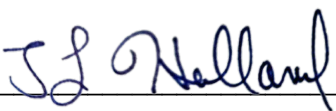
Date: April 30, 2024



IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Village of Johnson City

Signatory Name: Joshua L Holland, Director of Public Services

Signature: 

Date: 1/2/2024

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Town of Kirkwood

Signatory Name: J Lewis Grubham

Signature: J Lewis Grubham

Date: 5/13/24

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: TOWN of OWEGO

Signatory Name: 

Signature: Donald Castellucci Jr.

Date: June 6, 2024

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Village of Pont Dickinson

Signatory Name: KEVIN M. BURKE, Mayor

Signature: Kevin M. Burke

Date: 5/24/24

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Tioga County

Signatory Name: Gary Hammond

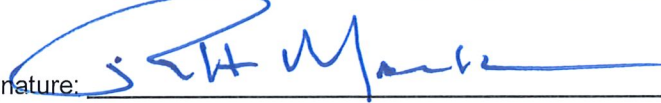
Signature: Gary Hammond

Date: 04-26-2024

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Town of Union

Signatory Name: Robert Mack

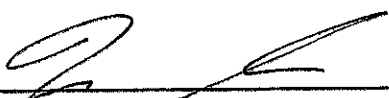
Signature: 

Date: 4/29/2024

IN WITNESS WHEREOF the signatories of this agreement hereby authorize this Memorandum of Understanding:

Municipality: Town of Vestal

Signatory Name: Marin Sext

Signature: 

Date: 1/30/24