



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET • JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Martin Meaney, Mayor

Trustee John Walker

Trustee Clark Giblin

Trustee Adam Brown

Trustee Mary Jacyna

AGENDA —REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, October 4, 2022 @ 7:30pm

Village Hall, 243 Main Street, 1st Floor Training Room, Johnson City, NY

ORDER OF BUSINESS

1. *CALL TO ORDER*

2. *PLEDGE OF ALLEGIANCE*

3. MAYOR'S ANNOUNCEMENTS

- [3.1] Village Offices will be closed on Monday, October 10, 2022 for Columbus Day. There will be yard waste collection.
- [3.2] The Village Zoning Board Meeting will be held Monday, October 17, 2022 at 7:30pm with a work session at 7:00pm.
- [3.3] The next regular Village Board Meeting will be Tuesday, October 18, 2022 at 7:30pm with a work session at 5:30pm.

4. APPROVAL OF BOARD MINUTES

- [4.1] September 20, 2022 Village Board Regular Meeting Minutes

5. BIDS

- [5.1] Bids were opened and read Tuesday, September 27, 2022 at 10:00am at Village Hall for the Electrical Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 2 as follows:

Specification Holder	Bid Amount
Nelcorp	\$829,800.00
Huen Electric, Inc.	\$916,800.00
MATCO Electric	\$910,000.00
Diekow	\$895,000.00
Blanding Electric, Inc.	\$978,490.00
Panko Electrical	\$998,000.00
Schuler-Haas Electric Corp.	\$858,800.00

- [5.2] Bids were opened and read Tuesday, September 27, 2022 at 10:00am at Village Hall for the Mechanical Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 2 as follows:

Specification Holder	Bid Amount
Slavik & Company	\$829,000.00
Piccirilli Mechanical	\$838,000.00
AFT Mechanical	\$898,500.00
Louis N. Picciano & Son, Inc.	\$1,038,000.00
J&K Plumbing and Heating Co., Inc.	\$839,000.00
Evans Mechanical, Inc.	\$1,035,000.00

- [5.3] Bids were opened and read Tuesday, September 27, 2022 at 10:00am at Village Hall for the General Construction Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 2 as follows:

Specification Holder	Bid Amount
Andrew R. Mancini Associates, Inc.	\$2,754,700.00
LeChase Construction Services, LLC	\$2,460,000.00
Daniel J. Lynch, Inc.	\$2,667,000.00
F.E. Jones Construction, Inc.	\$2,495,400.00

- [5.4] Bids were opened and read Tuesday, September 27, 2022 at 10:00am at Village Hall for the Plumbing Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 2 as follows:

Specification Holder	Bid Amount
Louis N. Picciano & Son, Inc.	\$777,000.00
Slavik & Company	\$688,000.00
Piccirilli Mechanical	\$640,000.00
Evans Mechanical, Inc.	\$662,000.00

6. PUBLIC HEARINGS

- [6.1] A Local Law amending Chapter 300 of the Village Code entitled 'Zoning' regarding signs authorized without a permit.

7. PETITIONS RECEIVED – None

8. PRIVILEGE OF THE FLOOR – VISITORS

9. COMMUNICATIONS

- [9.1] Correspondence from Laurie Newman, owner of 1161 Reynolds Road, Johnson City regarding refund of \$150.00.
- [9.2] Correspondence from Mohammad Bashir, owner of 127 Grand Avenue, Johnson City regarding waiver of refuse fee.
- [9.3] Correspondence from Rachel Miller, Esq., for David Drew, owner of 14 Crocker Avenue, Johnson City regarding waiver of fines.

- [9.4] Correspondence from Charles Stuck regarding approval and support from the Board for Orchard Avenue block party.

10. COMMITTEE/BOARD REPORTS - None

11. DEPARTMENT REPORTS

- [11.1] Johnson City Police Department Monthly Report for August, 2022
[11.2] Fire Department Overtime Report for September 1-14, 2022

12. PAYROLL AND BILLS PRESENTED

Abstract #7 of the 2022 - 2023 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$877,860.38
WATER FUND	\$93,463.86
SEWER FUND	\$464,885.25
REFUSE FUND	\$36,537.62
JSTP	\$0
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$474,106.26

13. UNFINISHED BUSINESS – None

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution 285 of 2022

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW ADDING A NEW SECTION 300-40.23 ENTITLED ‘ELECTRIC VEHICLE SUPPLY EQUIPMENT REGULATIONS’” TO THE VILLAGE CODE” was introduced at this meeting; and

WHEREAS, the Village Code requires referral to the Planning Board for recommendation. The Village Board hereby refers it; and

WHEREAS, the Village Code requires referral of the proposed Local Law to the Broome County Planning Department for review. The Village Board hereby refers it; and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:30 p.m. on November 15, 2022; and it is further

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

Resolution 286 of 2022

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 16-2022

WHEREAS, notice was given that the Village Board scheduled a public hearing for October 4, 2022 at 7:30 p.m. for Local Law No. 16 of the year 2022 entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’ REGARDING SIGNS AUTHORIZED WITHOUT A PERMIT”; and

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

WHEREAS, the Local Law was referred to the Village Planning Board and it recommended approval of the law; and

WHEREAS, the Broome County Planning Department reviewed the Local Law pursuant to GML § 239-m, and found no significant county-wide impacts; and

WHEREAS, said public hearing was duly held on the 4th day of October, 2022 at 7:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of said Local Law constitutes an Unlisted Action as defined under said regulations. The Village Board has considered the possible environmental impacts of the action, concluded that it will not have a significant adverse impact on the environment, and adopts a negative declaration with respect to the same; and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 16 of 2022 entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’ REGARDING SIGNS AUTHORIZED WITHOUT A PERMIT”, a copy of which is attached hereto and made a part hereof; and

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

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

COURT – No new business

PUBLIC SAFETY

FIRE

Resolution 287 of 2022

Approval to classify unutilized/out of date radios as surplus in hopes to sell them on municibid or similar web site. If there is no interest then to be properly disposed of.

Resolution 288 of 2022

Approval to classify unutilized/out of date air pack frames in hopes to sell them on municibid or similar web site. If there is no interest then to be properly disposed of.

Resolution 289 of 2022

Approval to classify out of date structural firefighting gear as surplus in accordance with NFPA standard 1851.

POLICE – No new business

PUBLIC WORKS

Resolution 290 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 2 for the Electrical Contract in the amount of \$829,800.00 to Nelcorp as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

Resolution 291 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 2 for the Mechanical Contract in the amount of \$829,000.00 to Slavik & Company, Inc. as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

Resolution 292 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 2 for the General Construction Contract in the amount of \$2,460,000.00 to LeChase Construction Services, LLC as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

Resolution 293 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 2 for the Plumbing Contract in the amount of \$662,000.00 to Piccirilli Mechanical, Inc. as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

PLANNING, ZONING & CODE ENFORCEMENT – No new business

JOINT SEWAGE TREATMENT BOARD

Resolution 294 of 2022

Approve the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2022 Budget to increase J.43960 State Aid - Emergency Disaster Asst by

\$166,753.30, J.44960 Fed Aid - Emergency Disaster Assist by \$500,259.91. Increase JF8130.559105 Professional Services by \$16,854.65 and J8130.54899 Reimburse Owner Recover Expense by \$650,158.56 (backup attached).

Resolution 295 of 2022

Approve the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2022 Budget to increase J.43960 State Aid - Emergency Disaster Asst by \$166,753.30, J.44960 Fed Aid - Emergency Disaster Assist by \$500,259.91. Increase JF8130.559105 Professional Services by \$16,854.65 and J8130.54899 Reimburse Owner Recover Expense by \$650,158.56 (backup attached). The following amounts will be paid to Owners J8130.54899 as follows: City of Binghamton (54.8%) \$356,286.90 and Village of Johnson City (45.2%) \$293,871.66

15. ADJOURNMENT

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

Mayor Martin Meaney - jcmayor@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com

Trustee Clark Giblin – cgiblin@villageofjc.com

Trustee Adam Brown – abrown@villageofjc.com

Trustee Mary Jacyna – mjacyna@villageofjc.com

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. ____ FOR THE YEAR 2022**

**A LOCAL LAW ADDING A NEW SECTION 300-40.23 ENTITLED
“ELECTRIC VEHICLE SUPPLY EQUIPMENT REGULATIONS”**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. A new Section 300-40.23 of the Village Code entitled “Electric vehicle supply equipment regulations” shall hereby be added as follows:

§ 300-40.23. Electric vehicle supply equipment regulations.

- A. Purpose and intent. The purpose and intent of this section is to set forth the Village of Johnson City statutory requirements regarding the establishment, siting, and operation of electric vehicle supply equipment in order to protect the public health, safety, and welfare of the residents of the Village of Johnson City, to facilitate access to electric vehicle supply equipment, and to protect and promote the visual and aesthetic character of the Village.
- B. Definitions. For purposes of this section, and where not inconsistent with the context of a particular subsection, the defined terms, phrases, words, abbreviations, and their derivations shall have the meanings given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

ELECTRIC VEHICLE CHARGING LEVEL

The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged; more specifically defined as the following:

- (1) Level 1 is considered slow charging, typically requiring a 15- or 20-amp breaker on a 120-volt AC circuit and standard outlet.
- (2) Level 2 is considered medium charging, typically requiring a 40-amp to 100-amp breaker on a 240-volt circuit.
- (3) Level 3, or DC fast charge, is considered rapid charging, typically requiring a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

ELECTRIC VEHICLE CHARGING STATION, PUBLIC USE

An electric vehicle charging station that is:

- (1) Publicly owned and publicly available (e.g., on-street parking and Village-owned parking facilities); or
- (2) Privately owned and publicly available (e.g., gasoline station parking, non-reserved parking in multifamily parking lots).

ELECTRIC VEHICLE CHARGING STATION, RESTRICTED USE

An electric vehicle charging station that is:

- (1) Privately owned and has restricted access (e.g., single-family home, designated employee parking); or
- (2) Publicly owned and restricted (e.g., fleet parking with no access to the general public).

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE)

The conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle conductors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for purposes of delivering energy from the premises wiring to the electric vehicle.

C. Permitted locations.

- (1) Level 1 and Level 2 charging stations are permitted in every zoning district, when accessory to the primary permitted use. Level 1 charging stations shall require an electrical permit when located in a residential zoning district. Level 2 charging stations shall be subject to building permit approval. Letter from utility company servicing the proposed charging station site certifying that the electrical system capacity and loads are sufficient, or will be upgraded to be sufficient to accommodate the charging station(s) shall be submitted with building with permit application.
- (2) Level 3, or DC fast charge, charging stations are permitted by right in the following zoning districts when accessory to the permitted use. Installation of Level 3 charging stations shall also be subject to building permit approval. Letter from utility company servicing the proposed charging station site certifying that the electrical system capacity and loads are sufficient, or will be upgraded to be sufficient to accommodate the charging station(s) shall be submitted with building with permit application.
 - (a) Neighborhood Commercial (NC).
 - (b) General Commercial (GC).
 - (c) Central Business District (CB)
 - (d) Commercial Office (CO).
 - (e) Industrial District (I).
- (3) Level 3, or DC fast charge, charging stations are permitted by special permit in the following zoning districts when accessory to the permitted use:
 - (a) Rural Residential (RR).
 - (b) Office Overlay (OO).
- (4) If the primary use of a parcel is the retail charging of electric vehicle batteries, then the use shall be considered a gasoline station and a transportation and freight terminal facilities for zoning purposes. Installation of charging stations shall be located in zoning districts that permit gasoline service stations and transportation and freight terminal facilities and shall be subject to all regulations that apply to gasoline service stations.

D. Design standards and other criteria for electric vehicle supply equipment.

- (1) Electric vehicle charging station, restricted use.
 - (a) Electric vehicle charging stations shall be located in a manner that will not allow public access to the charging station.
- (2) Electric vehicle charging station, public use.
 - (a) Electric vehicle parking and charging stations shall be equal to parking space size and performance standards as provided in Article 51 of this chapter. The installation of electric vehicle supply equipment shall not reduce the electric vehicle parking space length to below off-street parking space size and standards required under Article 51.
 - (b) Installation of EVSE shall meet National Electrical Code Article 625.
 - (c) Charging station outlets and connectors shall be no less than 36 inches and no higher than 48 inches from the surface where mounted.
 - (d) Adequate electric vehicle charging station protection, such as concrete-filled steel bollards, shall be installed. Curbing may be used in lieu of bollards if the charging station is set back a minimum of 24 inches from the face of the curb.
 - (e) Adequate site lighting should be provided unless charging is for daytime purposes only.

(f) If time limits or vehicle removal provisions are to be applied, regulatory signage including parking restrictions, hours and days of operation, towing, and contact information shall be installed immediately adjacent to, and visible from, the electric vehicle charging station.

(g) When EVSE is placed in a sidewalk or adjacent to a walkway, it shall not interfere with the minimum pedestrian clearance widths as defined in Chapter 11 of the New York State Building Code. Accessibility. Cords, cables, and connector equipment shall not extend across the path of travel within a sidewalk or walkway.

(3) Signage

(a) Definitions

- i. General Service Signs – Signs intended to provide direction and general guidance to the charging station and should be installed at a suitable distance in advance of the turn-off or intersecting roadway, or at the charging station.
- ii. Regulatory Signs – Signs required to enforce the type of vehicle and duration of parking at a given EVSE parking space.
- iii. Trailblazing (special) Signs – Signs utilized at the host facility to provide additional information for drivers and visitors (i.e., green program, funding source, tourism or economic development information, sponsorship, etc.)

(b) General Requirements

- i. General service or regulatory signs shall follow MUTCD design standards and shall be less than four (4) square feet to be authorized without permit in any zoning district where the EVSE is permitted.
- ii. Trailblazing signs must not be prominent and shall be less than four (4) square feet to be authorized without permit in any zoning district where the EVSE is permitted. Such signs are not required to follow MUTCD standards and may incorporate other logos, colors and shapes.

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 16 FOR THE YEAR 2022**

**A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE
ENTITLED ‘ZONING’ REGARDING SIGNS AUTHORIZED WITHOUT A PERMIT**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. Section 300-52.3D of the Village Code entitled “Signs authorized without a permit” shall hereby be repealed and replaced with:

D.

- (1) Works of art not displaying a commercial message in all areas, except those owned by the Village: Such works of art are subject to size regulations via wall signs as detailed in Tables 52-5 and 52-6.
- (2) Works of art not displaying a commercial message on Village-owned property: Upon recommendation of Planning and Zoning staff, such works of art are permitted with Village Board approval and are exempt from size regulations.

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.