VILLAGE OF JOHNSON CITY
MUNICIPAL BUILDING
60 LESTER AVENUE, JOHNSON CITY, NY 13790
(607-798-7861
www.villageofjc.com

Village Board
Martin Meaney, Mayor
Deputy Mayor Clark Giblin
Trustee John Walker Trustee Adam Brown Trustee Mary Jacyna

Minutes of a Regular Meeting of the Johnson City Village Board held in the Village Hall Board Room, 60 Lester Avenue, Johnson City, NY on Tuesday, November 19, 2024 at 7:30 p.m.

Present:	Martin Meaney, Mayor Clark Giblin, Deputy Mayor Adam Brown, Trustee Mary Jacyna, Trustee John Walker, Trustee
Absent:	None
Also Present:	Keegan Coughlin, Legal Counsel Clarence Shager, Village Clerk/Treasurer Planning Director Stephanie Yezzi

Mayor Meaney led the Pledge of Allegiance.

Mayor Meaney welcomed everyone and advised where the fire exits are located.

Mayor Meaney took roll call.

MAYOR'S ANNOUNCEMENTS

[1] The next Planning Board Meeting will be Tuesday, November 26, 2024 at 7:30pm with a work session at 7:00pm in the Johnson City Village Hall Board Room.

[2] Village Hall will be closed Thursday, November 28th and Friday, November 29th, 2024 for Thanksgiving. Refuse Collections will be as follows: Garbage normally collected on Thursday, November 28th will be collected on Friday, November 29th. Garbage normally collected on Friday, November 29th, will be collected on Monday, December 2nd. There will be no yard waste collection on Monday, December 2nd. The last yard waste is Monday, December 9, 2024, weather dependent.

[3] The Village of Johnson City's Christmas Tree Lighting Ceremony will be held at Your Home Public Library on Friday, November 29, 2024 at 4:30pm with live music by Treasure.

[4] The next regular Village Board Meeting will be Tuesday, December 3, 2024 at 7:30pm with a work session at 6:00pm in the Johnson City Village Hall Board Room.

[5] The Johnson City Events Committee's Holiday Parade will be Thursday, December 5, 2024 at 7:00pm. starting at the corner of Main Street and Lester Avenue and ending at the Arch Street bridge.

[6] The Lights on the Carousel Event will be held on Friday, December 6th, Saturday, December 7th, Friday, December 13th, and Saturday, December 14th, 2024 from 6:00-8:00pm at the CFJ Carousel.
[7] Congratulation to Trustee Jacyna to her reelection and Trustee Elect Lori Thorn on her election.

APPROVAL OF BOARD MINUTES

[1] October 15, 2024 Village Board Work Session and Regular Meeting Minutes

A motion to approve the minutes of October 15, 2024 and place them on file was made by Trustee Walker and seconded by Trustee Brown. The motion carried with all those present voting in the affirmative.

BIDS

[1] Natural Gas Supply Bids read Tuesday, November 19, 2024 at 11:00 am
[2] Electric Supply Bids read Tuesday, November 19, 2024 at 11:00 am

A motion to place the bids on file was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

PUBLIC HEARINGS

[1] Local Law amending Chapter 300 of the Village Code regarding "Penalties for Offenses"

Mayor Meaney opened the public hearing.

Attorney Coughlin stated this is a for a local law changing the penalties which creates and escalating fee structure for repeat offenders.

Mayor Meaney closed the public hearing.

[2] Local Law Rezoning 475 Boland Drive from the Open Space Zoning District to the Industrial Zoning District

Mayor Meaney opened the public hearing.

Attorney Coughlin said it is changing the zoning behind the park, not the park.

Mayor Meaney closed the public hearing.

[3] Local Law Renaming Gannett Drive to University Boulevard

Mayor Meaney opened the public hearing. There being no one who wished to speak, Mayor Meaney closed the public hearing.

[4] Local Law Naming the Harry L. Drive Bridge entrance to Wegmans Drive.

Mayor Meaney opened the public hearing. There being no one who wished to speak, Mayor Meaney closed the public hearing.

PETITIONS RECEIVED – None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Meaney opened the privilege of the floor.

Don Slota, Eldridge Ave – Questioned repair being done on corner of Edward and Riale. It has been two months. It is a liability to the Village.

Mayor Meaney responded he will check with Josh, but he thinks they are waiting on DeVincentis to do the concrete work.

Dorian Lans, Seminary Avenue – Spoke regarding coming to talk to the Board two months ago regarding a fine for something saying he was in violation for something he wasn't in violation for.

Mayor Meaney advised it is on the agenda. As the Board told him at that time there would be no accruement of penalties because they wanted to get all their information together.

David Dzuba, N. Baldwin Street – Stated he is here to contest his water bill and that he provided a letter. He owned the property for 40 years and received the excessive water bill. Paid $800 and the bill was $1,500.

Mayor Meaney responded it is on the agenda; they received the letter and the Board will take action tonight.

Mayor Meaney closed the privilege of the floor.

COMMUNICATIONS

A motion to accept and file the following Communications was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

[1] Correspondence from Praveen Kamath regarding garbage violation at 24 Sherman Street.
[2] Correspondence from Robert Croswell, 22 Margaret Street regarding reimbursement of late fee.
[3] Correspondence from Elizabeth Barber, 27 Evelyn Street regarding water bill.
[4] Correspondence from Patricia Brigiotta, 69 Margaret Street regarding water bill.
[5] Correspondence from David Dzuba, 256 N. Baldwin Street regarding water bill dispute.

COMMITTEE AND BOARD REPORTS

A motion to accept and file the following Committee and Board Report was made by Trustee Walker and seconded by Trustee Jacyna. The motion carried with all those present voting in the affirmative.

[1] Joint Sewage Treatment Board Reports for October 2024

DEPARTMENT REPORTS

A motion to accept and file the following Department Reports was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

[1] Police Department Overtime Report for October 10, 2024 - October 23, 2024
[2] Fire Department Overtime Report for October 10, 2024 - October 23, 2024
[3] Police Department Overtime Report for October 24, 2024 - November 6, 2024
[4] Fire Department Overtime Report for October 24, 2024 - November 6, 2024
[5] Johnson City Police Department Monthly Report for August, 2024
[6] Johnson City Police Department Monthly Report for September, 2024

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #8 of the 2024-2025 fiscal bills as stated and/or amended, and attached to the work session minutes and recorded as part of the work session minutes, having been audited by the Board and approved, was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

Motion Carried – Vote:

Ayes – 4 (Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0 Abstain – 1 (Jacyna)

GENERAL FUND	$731,942.98
WATER FUND	$104,758.40
SEWER FUND	$47,839.61
REFUSE FUND	$68,096.53
SESAME ST	$0
VARPUR	$1,101,664.93
JSTP	$0
SPECIAL GRANT	$39,045.01
DEBT SERVICE	$68,480.29

UNFINISHED BUSINESS – None

NEW BUSINESS

FINANCE & RULES

Resolution 210 of 2024

A motion to approve the following resolution was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 7-2024

WHEREAS, notice was given that the Village Board scheduled a public hearing for November 19, 2024 at 7:30 p.m. for Local Law No. 7 of the year 2024 entitled "A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE REGARDING PENALTIES FOR OFFENSES"; 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 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 19th day of November, 2024 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 the State Environmental Quality Review Act ("SEQRA"), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5 (26) and (33); and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said local law as Local Law No. 7 of 2024 entitled "A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE REGARDING PENALTIES FOR OFFENSES", 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.

Discussion: Attorney Coughlin stated this is a Type 2 Action under SEQRA and no further environmental review is required.

Resolution 211 of 2024

A motion to hold over the following resolution was made by Trustee Brown.

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 8-2024

WHEREAS, notice was given that the Village Board scheduled a public hearing for November 19, 2024 at 7:30 p.m. for Local Law No. 8 of the year 2024 entitled "A LOCAL LAW REZONING 475 BOLAND DRIVE FROM THE OPEN SPACE ZONING DISTRICT TO THE INDUSTRIAL ZONING DISTRICT"; 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 19th day of November, 2024 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. 8 of 2024 entitled "A LOCAL LAW REZONING 475 BOLAND DRIVE FROM THE OPEN SPACE ZONING DISTRICT TO THE INDUSTRIAL ZONING DISTRICT", a copy of which is attached hereto and made a part hereof; and

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

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

Resolution 212 of 2024

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 9-2024

WHEREAS, notice was given that the Village Board scheduled a public hearing for November 19, 2024 at 7:30 p.m. for Local Law No. 9 of the year 2024 entitled "A LOCAL LAW RENAMING GANNETT DRIVE TO UNIVERSITY BOULEVARD"; and

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

WHEREAS, said public hearing was duly held on the 19th day of November, 2024 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 the State Environmental Quality Review Act ("SEQRA"), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as

defined under 6 NYCRR 617.5 (26) and (33); and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said local law as Local Law No. 9 of 2024 entitled "A LOCAL LAW RENAMING GANNETT DRIVE TO UNIVERSITY BOULEVARD", 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.

Discussion: Trustee Walker stated this renaming Gannett Drive to University Boulevard.

Resolution 213 of 2024

A motion to approve the following resolution was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 10-2024

WHEREAS, notice was given that the Village Board scheduled a public hearing for November 19, 2024 at 7:30 p.m. for Local Law No. 10 of the year 2024 entitled "A LOCAL LAW NAMING THE HARRY L. DRIVE BRIDGE ENTRANCE TO WEGMANS"; and

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

WHEREAS, said public hearing was duly held on the 19th day of November, 2024 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 the State Environmental Quality Review Act ("SEQRA"), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5 (26) and (33); and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said local law as Local Law No. 10 of 2024 entitled "A LOCAL LAW NAMING THE HARRY L. DRIVE BRIDGE ENTRANCE TO WEGMANS", 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.

Discussion: Trustee Brown stated this renaming the road into Wegmans from Harry L Drive Bridge to Wegmans Drive.

Resolution 214 of 2024

A motion to approve the following resolution was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

RESOLUTION SETTING PUBLIC HEARING REGARDING 197 GRAND AVENUE

WHEREAS, by correspondence dated October 9, 2024, the Village Code Enforcement Officer and the Fire Marshall have requested that the Village Board of Trustees of the Village of Johnson City consider declaring the building at 197 Grand Avenue, Johnson City, New York (TM# 143.73-1-23), unsafe and dangerous pursuant to Section 118-3 of the Village Code, which consideration requires a public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Village Board will hold a public hearing on December 17, 2024, at 7:30 p.m. to solicit public input on the issue concerning whether the building at 197 Grand Avenue, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED that notice of said public hearing shall be served on the record owner of 197 Grand Avenue, Johnson City, New York and its legal counsel, if known, pursuant to Section 118-6 of the Village Code; and be it further

RESOLVED that the Village Clerk and Legal Counsel are hereby authorized to take such additional and further action as is necessary to notice the public hearing as noted herein; and be it further

RESOLVED that in accordance with Section 118-9 of the Village Code, a clear and imminent danger to life, safety and health exists for persons and property, and as such the building at 197 Grand Avenue, Johnson City, New York must be secured immediately. The Village Board hereby authorizes the Code Enforcement Officer to immediately cause the securing of this building.

Discussion: Trustee Brown stated the public hearing will be on December 17th at 7:30pm in the Board Room. Trustee Giblin added this is declaring 197 Grand Ave unsafe and dangerous.

Resolution 215 of 2024

A motion to approve the following resolution was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

RESOLUTION SETTING PUBLIC HEARING REGARDING 151 BALDWIN STREET

WHEREAS, by correspondence dated October 9, 2024, the Village Code Enforcement Officer and the Fire Marshall have requested that the Village Board of Trustees of the Village of Johnson City consider declaring the building at 151 Baldwin Street, Johnson City, New York (TM# 143.73-1-25), unsafe and dangerous pursuant to Section 118-3 of the Village Code, which consideration requires a public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Village Board will hold a public hearing on December 17, 2024, at 7:30 p.m. to solicit public input on the issue concerning whether the building at 151 Baldwin Street, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED that notice of said public hearing shall be served on the record owner of 151 Baldwin Street, Johnson City, New York and its legal counsel, if known, pursuant to Section 118-6 of the Village Code; and be it further

RESOLVED, that the Village Clerk and Legal Counsel are hereby authorized to take such additional and further action as is necessary to notice the public hearing as noted herein; and be it further

RESOLVED that in accordance with Section 118-9 of the Village Code, a clear and imminent danger to life, safety and health exists for persons and property, and as such the building at 151 Baldwin Street, Johnson City, New York must be secured immediately. The Village Board hereby authorizes the Code Enforcement Officer to immediately cause the securing of this building.

Discussion: Trustee Brown stated the public hearing will be on December 17th at 7:30pm in the Board Room.

Resolution 216 of 2024

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

WHEREAS, the Village board approves the sale of excess or obsolete equipment

WHEREAS, when the proceeds are that are received from this sale must be used on equipment purchases in that department or operational cost for the department outside of labor.

WHEREAS, these costs can carry over from one fiscal period to the another it is best to set them up in a capital fund

RESOLVED, that the Clerk-Treasurer set up an auction account for each department in the capital fund; and be it further

RESOLVED that as funds come in for the sale the of the excess or obsolete equipment goes into a revenue account in the capital fund and that a budget amendment is made to increase the revenue and department auction equipment line (H2.3120.4.000-Police Auction Line).

Resolution 217 of 2024

A motion to approve the following resolution was made by Trustee Brown and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled "A LOCAL LAW IMPLEMENTING CHAPTER 262 VACANT COMMERCIAL STOREFRONTS" was introduced at this meeting; 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 shall be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law on **December 17, 2024 at 7:30 p.m.**, or as soon thereafter as may be heard; 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.

Discussion: Trustee Brown stated the public hearing will be on December 17th at 7:30pm in the Board Room.

Resolution 218 of 2024

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

BOND RESOLUTION DATED NOVEMBER 19, 2024.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM**,** THE ISSUANCE OF AN ADDITIONAL $625,000 BONDS OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE CONSTRUCTION OF A DPW FACILITY AT 60 LESTER AVENUE, IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), on September 6, 2022, duly adopted a bond resolution authorizing the issuance of $12,000,000 serial bonds of said Village to pay the cost of the construction of a DPW facility at 60 Lester Avenue in and for said Village of Johnson City, Broome County, New York, including costs incidental thereto; and

WHEREAS, it has now been determined that the maximum estimated cost of such object or purpose is $12,625,000, an increase of $625,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional $625,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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

Section 1. For the object or purpose of paying additional costs of the construction of a DPW facility at 60 Lester Avenue, including costs incidental thereto, there are hereby authorized to be issued an additional $625,000 bonds of the Village of Johnson City, Broome County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be $12,625,000, which specific object or purpose is hereby authorized at said maximum

estimated cost, and that the plan for the financing thereof is as follows:

a) By the issuance of the $12,000,000 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted September 6, 2022; and

b) By the issuance of the additional $625,000 bonds of said Village authorized to be issued pursuant to this bond resolution; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

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

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

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

Resolution 219 of 2024

A motion to approve the following resolution was made by Trustee Jacyna and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

BOND RESOLUTION DATED NOVEMBER 19, 2024.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM**,** THE ISSUANCE OF AN ADDITIONAL $1,363,750 BONDS OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE REHABILITATION OF THE GATEWAY ARCH ON MAIN STREET, IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), on August 17, 2021, duly adopted a bond resolution authorizing the issuance of $436,250 serial bonds of said Village to pay the cost of the rehabilitation of the gateway arch on Main Street in and for said Village of Johnson City, Broome County, New York, including costs incidental thereto; and

WHEREAS, it has now been determined that the maximum estimated cost of such object or purpose is $2,000,000, an increase of 1,363,750 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional $1,363,750 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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

Section 1. For the object or purpose of paying additional costs of the rehabilitation of the gateway arch on Main Street, including costs incidental thereto, there are hereby authorized to be issued an additional $1,563,750 bonds of the Village of Johnson City, Broome County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be $1,800,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

a) By the issuance of the $436,250 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted August 17, 2021; and

b) By the issuance of the additional $1,363,750 bonds of said Village authorized to be issued pursuant to this bond resolution; provided, however, that the amount of bonds to be issued shall be reduced

to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 76 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed

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

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

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

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

Discussion: Attorney Coughlin advised in order to pass these it requires a super majority of the Board.

Resolution 220 of 2024

A motion to approve the following resolution was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

BOND RESOLUTION DATED NOVEMBER 19, 2024.

A RESOLUTION AUTHORIZING IMPLEMENTATION OF A DOWNTOWN REVITALIZATION PROJECT, IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF $4,750,000, AND AUTHORIZING THE ISSUANCE OF $4,750,000 BONDS OF SAID VILLAGE TO PAY THE COSTS THEREOF.

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

Section 1. Implementation of a Downtown Revitalization Project, including incidental costs and expenses in connection therewith, in and for the Village of Johnson City, Broome County, New York is hereby authorized at a total maximum estimated cost of $4,750,000 and the plan of financing thereof is by the issuance of $4,750,000 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. The period of probable usefulness of such class of objects or purposes is five years pursuant to subdivision 89 of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

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

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

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

Resolution 221 of 2024

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

BOND RESOLUTION DATED NOVEMBER 19, 2024.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL $121,630 BONDS OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH JOHNSON CITY DISTRICT IMPROVEMENTS, IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), on September 6, 2022, duly adopted a bond resolution authorizing the issuance of $1,024,650 serial bonds of said Village to pay the cost of the Johnson City District Improvements in and for said Village of Johnson City, Broome County, New York, consisting of improvements to streetscapes, gateways, parks and stormwater mitigation, as well as costs incidental thereto; and

WHEREAS, it has now been determined that the maximum estimated cost of such object or purpose is $1,146,280, an increase of 121,630 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional $121,630 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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

Section 1. For the object or purpose of paying additional costs of Johnson City District Improvements, as well as costs incidental thereto, there are hereby authorized to be issued an additional

$121,630 bonds of the Village of Johnson City, Broome County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be $1,146,280, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

a) By the issuance of the $1,024,650 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted September 6, 2022; and

b) By the issuance of the additional $121,630 bonds of said Village authorized to be issued pursuant to this bond resolution; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 91 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first obligations therefor, being December 15, 2022.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

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

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

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

Discussion: Stephanie Yezzi confirmed this is reimbursed by the Johnson City iDistrict. Trustee Walker stated the last one was reimbursement funds as well. Stephanie Yezzi added DRI.

Resolution 222 of 2024

A motion to authorize Treasurer to issue a credit of $200.00 to RejuvaNail, 47 Riverside Drive, Suite 3, Johnson City under Account Number 073930 due to improper notification for water shut off was made by Trustee Jacyna and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 223 of 2024

A motion to authorize the Village Treasurer to forward the 2024-2025 Unpaid Village Property Taxes (levied on June 15, 2024) to the Broome County Commissioner of Finance in the amount of: Real Property Taxes - $685,981.44, Interest & Penalties - $54,878.34, 2nd Notice Mail Charges - $398.00 for a Total Amount Relevied - $741,257.75 was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Discussion: Clerk/Treasurer Shager advised this is about $100,000.00 more than last year.

Resolution 224 of 2024

A motion to authorize the Mayor to sign an agreement with J S Miller Appraisal Associates LLC was made by Trustee Giblin and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 225 of 2024

A motion to award the bid for the Natural Gas Supply in the amount of $.438 therm to Empire Natural Gas Company as the lowest responsive bid was made by Trustee Walker and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 226 of 2024

A motion to award the bid for the Electric Supply in the amount of $68.05 megawatts to Constellation New Energy, Inc. as the lowest responsive bid was made by Trustee Giblin and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 227 of 2024

A motion for forgiveness of refuse fine in the amount of $250.00 and second notice code violation fee in the amount of $250.00 for a total of $500.00 to Praveen Kamath, owner of 24 Sherman Street, Johnson City was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 228 of 2024

A motion for forgiveness of late fee in the amount of $16.80 to Robert Croswell, 22 Margaret Street, Johnson City was made by Trustee Jacyna and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 229 of 2024

A motion for forgiveness of late fee in the amount of $6.60 to Elizabeth Barber, 27 Evelyn Street, Johnson City was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 230 of 2024

A motion for forgiveness of penalty in the amount of $47.65 to Patricia Brigiotta, 69 Margaret Street regarding water bill was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 231 of 2024

A motion for forgiveness of third notice violation fee in the amount of $500.00 and lawn mowing/trimming fee in the amount of $183.00 for a total of $683.00 to Dorian Lans, owner of 254 Grand Ave, Johnson City was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

Ayes – 0 Nays – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Absent – 0

Resolution 232 of 2024

A motion for forgiveness in the amount of $854.11 to David Dzuba, owner of 256 N. Baldwin Street due to dispute of excessive usage on water bill was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

Ayes – 0 Nays – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Absent – 0

Resolution 233 of 2024

A motion to authorize the Mayor or his designee to enter into a license agreement for the use of old Village Hall at 243 Main Street by the Johnson City PBA for a PBA charitable venture of Toys for Tots in a form acceptable to counsel was made by Trustee Walker and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Discussion: Trustee Giblin stated this is for the Johnson City PBA to host the Toys for Tots.

PUBLIC SAFETY

FIRE **–** No new business

POLICE

Resolution 234 of 2024

A motion to approve the following resolution was made by Trustee Jacyna and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

WHEREAS, pursuant to § 264-54 of the Village Code, permit fees for metered parking stalls in municipal parking lots and at on-street parking meters are determined by resolution of the Village Board; and

WHEREAS, the parking permit rates shall be set as follows:

Annual Rate: $440/yr

- Valid from 12:00 AM January 1st to 11:59 PM December 31st
- Prorated permit purchase price based on number of days or calendar months remaining in the permit's cycle. Prorated minimum price: $25.00

Monthly Rate: $40/mo

- Valid from 12:00 AM of the 1st day of the month to 11:59PM of the last day of the month
- Prorated permit purchase priced based on number of days remaining in the permit's cycle. Prorated minimum price: $25.00

Daily Rate: $5/day

- Valid from 12:00 AM to 11:59PM of the purchase date.

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Johnson City hereby sets the metered parking rates as set forth hereinabove; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

PUBLIC WORKS

Resolution 235 of 2024

A motion to authorize the Director of Public Services to sign the Architectural/Engineering Consultant Agreement with Delta Engineers, Architects, Land Surveyors, & Landscape Architects for Design, Construction Support, and Construction Inspection for the Oakdale Road Sidewalk Construction Project (PIN 9755.76) in the amount of $227,107.00 was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Discussion: Trustee Walker advised this is for the Oakdale Road Sidewalk Construction Project.

Resolution 236 of 2024

A motion to authorize the Director of Public Services to accept the contract for the Floral Avenue, Burbank Avenue, and Grand Avenue 1R Pavement Preservation project with McFarland-Johnson, Inc in the amount of $263,751.00 was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 237 of 2024

A motion to authorize the Director of Public Services to sign the Architectural/Engineering Supplemental Agreement No. 2 with Fisher Associates for additional services on the Streetscape Enhancement Project for the amount of $90,980 was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 238 of 2024

A motion to authorize the Director of Public Services to accept Change Orders LUP-CO-03 & LUP-CO-04 for the Rehabilitation of the Square Deal Arch in an amount totaling $713,669 was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

PLANNING, ZONING & CODE ENFORCEMENT

Resolution 239 of 2024

A motion to authorize the Director of Planning or her designee to publish a request for proposals (RFP) for professional design/engineering services for the Downtown Revitalization Initiative-funded Wilbrow Alley project was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Discussion: Attorney Coughlin advised any of these purchasing contracts that are related to the bond resolutions that were adopted earlier this evening subject to permissive referendum need to have contractual contingencies that the Village is not liable until the bond resolution is formally passed.

Resolution 240 of 2024

A motion to authorize the Director of Planning or her designee to publish a request for quotes (RFQ) for records management consultant services for the Phase I Record Retention Program to complete a file inventory with retention schedule if awarded NYS Archives funds for the 2025 round was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 241 of 2024

A motion to authorize the Director of Planning or her designee to submit a voucher for the Restore NY Round 9 grant application fee in the amount of $250.00 to be reimbursed by Square Deal Partners LLC for the Riverside Gardens Project was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 242 of 2024

A motion to authorize the Village of Johnson City Board of Trustees to accept the Village of Johnson City Downtown Parking Plan and Feasibility Study as an official planning document to inform future parking initiatives in the downtown study area was made by Trustee Jacyna and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 243 of 2024

Set a public hearing to consider the Village of Johnson City's Restore NY grant application for the mixed-use development at 400 Riverside Drive on December 3rd 2024 at 7:30 PM was made by Trustee Jacyna and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Resolution 244 of 2024

Approve the Planning Department's request to amend the 2024-2025 Budget to increase the Grant Application Expense Line A7750.4.010 by $1,000.00 and increase Minor Sales Revenue Line A.2655.000 by $1000.00 was made by Trustee Jacyna and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

JOINT SEWAGE TREATMENT BOARD

Resolution 245 of 2024

A motion to approve the Binghamton-Johnson City Joint Sewage Board's request that the owners pass legislation to amend the 2024 Budget to increase Fund Balance for Budget ES.49999 by $4,001,869.69 and create and increase Transfer to Municipalities - Fund Balance ES8130.54888 in the amount of $4,001,869.69 was made by Trustee Jacyna and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Walker, Giblin, Meaney) Nays – 0 Absent – 0

Discussion: Trustee Giblin stated this is the amount of dollars coming back to all of the municipal users from the Joint Sewage Treatment Plant the amount for the Village of Johnson City is $586,243.86.

Mayor Meaney thanked everyone for coming and wished everyone a safe trip home.

ADJOURNMENT

Mayor Meaney adjourned the meeting at 8:02 pm.

_____

Clarence Shager
Village Clerk/Treasurer

Recordings of the Village Board meetings and work sessions
are available for review through the Village Clerk/Treasurer's Office

VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 7 FOR THE YEAR 2024

A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE REGARDING PENALTIES FOR OFFENSES

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

Section 1. Section 300-60.7 of the Village Code entitled "Penalties for offenses" shall hereby be amended as follows:

A. Any violation of the provisions of this chapter shall be subject, upon conviction, to a term of imprisonment of not more than 15 days, or both. Each day such violation is committed or permitted to continue shall constitute a separate violation.

B. Any person, firm or corporation receiving multiple violations withing a twelve-month period shall be subject to a penalty or fine as set forth below:

a. First violation: $250.
b. Second violation: $500.
c. Third violation: $750.
d. Fourth violation and any subsequent violation: $1,000.

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. 8 FOR THE YEAR 2024

A LOCAL LAW REZONING 475 BOLAND DRIVE FROM THE OPEN SPACE ZONING DISTRICT TO THE INDUSTRIAL ZONING DISTRICT

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

Section 1. The parcel located at 475 Boland Drive, Tax Map No. 143.78-1-2, shall hereby be rezoned from the Open Space Zoning District to the Industrial Zoning District. Said rezoning shall be exclusive of the area outlined as Tax Map No. 143.78-1-2 on the attached survey map and shall not include Boland Park. The Village of Johnson City Zoning Map shall be amended accordingly.

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. 9 FOR THE YEAR 2024

A LOCAL LAW RENAMING GANNETT DRIVE TO UNIVERSITY BOULEVARD

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

Section 1. Gannett Drive, a street within the Village of Johnson City, shall hereby be renamed as "University Boulevard" and the Village map shall be amended accordingly.

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. 10 FOR THE YEAR 2024

A LOCAL LAW NAMING THE HARRY L. DRIVE BRIDGE ENTRANCE TO WEGMANS

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

Section 1. The unnamed public road which runs approximately 110 feet from Harry L Drive to the entrance of 650 Harry L Drive property line shall be named "Wegmans Drive" and the Village map shall be amended accordingly.

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. ___ FOR THE YEAR 2024

A LOCAL LAW IMPLEMENTING CHAPTER 262
VACANT COMMERCIAL STOREFRONTS

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

Section 1. A new chapter shall be added to the Village Code as follows:

Chapter 262

Article I General Provisions

§262-1 Short title.

This chapter will be known as the "Vacant Commercial Storefronts Law," and will be referred to as such in this chapter.

§ 262-2 Findings and statement of purpose.

A. The Village of Johnson City contains many commercial storefronts that are vacant in whole or large part, and in many cases the owners or other responsible parties of these structures are neglectful of them; are failing to maintain them or secure them to adequate standards; or to restore them to productive use; and many of these structures are in violation of state and local housing and property maintenance codes.
B. It has been established that vacant and abandoned structures cause severe harm to the health, safety, and general welfare of the community, including diminution of neighboring property values, loss of property tax revenues, accumulation of trash and debris, increased risk of fire, and potential increases in criminal activity and the Village of Johnson City incurs disproportionate costs when addressing problems associated with vacant and abandoned structures, including but not limited to police calls, fire calls, property inspections; and
C. It is in the public interest of the Village of Johnson City to establish minimum standards of accountability for the owners and other responsible parties of vacant commercial storefronts to protect the health, safety, and general welfare of the residents of the Village of Johnson City. It is in the public interest for Village of Johnson City to impose a fee in conjunction with a registration ordinance for vacant commercial storefronts in light of the disproportionate costs imposed on the municipality by the presence of these structures.
D. The Vacant Commercial Storefronts Law provides minimum standards for the maintenance, insurance, and registration of occupied buildings in the Central Business District containing at least one vacant commercial storefront facing Main Street, Johnson City, as well as the Neighborhood Commercial storefronts that face Harry L Drive.

§ 262-3 Exceptions.

The provisions of this chapter do not apply to:

(1) Any owner of vacant commercial storefronts who meet the following criteria:

a. Has filed sufficient plans to restore the property to productive use and occupancy and will make substantial progress towards such occupancy in the next six-months; and/or
b. The appropriate authority may extend the exception from applicability when substantial progress towards productive use and occupancy may extend longer than six-months without limitation upon written request by the owner as long as the appropriate authority finds that the owner is making reasonable progress toward completion of the project. The owner shall provide appropriate authority with documentation evidencing such reasonable progress, which may include, but is not limited to, plans, financing applications, applications for land use approval.

§ 262-4 Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms have the following meanings and shall be so construed wherever they appear in this chapter.

APPROPRIATE AUTHORITY

The Code Enforcement Office.

CIVIL PENALTY

A penalty levied by the Code Enforcement Officer against an existing permittee in accordance with this chapter.

CODE ENFORCEMENT OFFICER

The person(s) designated pursuant to Chapter 114 of the Code of the Village of Johnson City.

EVIDENCE OF VACANCY

Shall mean any and all condition(s) that would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to, overgrown or dead vegetation; accumulation of debris or abandoned personal property; and statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

EXTERIOR PROPERTY

The open space on the premises and on adjoining property under the control of owners or operators of such premises.

OWNER

Shall include the record title holder or contract purchaser, property manager, tenant under a recorded lease or any executor, administrator, trustee, conservator or other fiduciary, mortgagee or lienholder thereof; any agent of the title holder for the receipt of notice, legal process or other service of any individual acting in a fiduciary capacity for the record titleholder or contract purchaser or having authority to act with respect to a vacant property, any foreclosing entity that has filed a notice with the

municipal clerk pursuant to the provisions of RPAPL § 1307, or any other entity determined by the appropriate authority of the Village of Johnson City to have authority to act with respect to the property.

OWNER'S AGENT

Any person, company, corporation or other entity that has the authority to act on behalf of or in the place of the owner.

PERSON

Any natural person and any entity that is recognized by law as having the rights and obligations of a natural person.

RECORD TITLEHOLDER

Any person holding title of record by deed, contract of sale, or judicial determination.

REGISTERED COMPLAINT

Any oral or written communication or personal observation upon which the Code Enforcement Officer has probable cause to believe that additional investigation is required to verify compliance with this chapter.

TENANT

A person, corporation, partnership or group, not the legal owner of record, occupying a unit.

VACANT COMMERCIAL STOREFRONT

Shall mean a first-floor storefront in the Central Business Zoning District that fronts Main Street, Johnson City, as well as the Neighborhood Commercial storefronts that face Harry L Drive, at which all lawful business or construction operations or other occupancy have substantially ceased.

Article II Administration and Enforcement

§262-5 Access and inspection.

A. The owner of a registered vacant commercial storefront, following reasonable notice, shall provide access to the Code Official or their designees are authorized to conduct an exterior and interior inspection of the commercial storefront to determine compliance with the Village Code. If entry is refused or not obtained, the Code Official is authorized to pursue entry to the fullest extent authorized by law.
B. For purposes of the Vacant Commercial Storefronts Law, the Code Enforcement Office shall cause inspections to be made at intervals as follows:
   (1) Prior to registration or renewal of registration pursuant to this chapter;

(2) Upon receipt of a registered complaint;
(3) At the discretion of the Code Enforcement Office at an interval of less than three years for a property where there are persistent or consistent violations of this chapter or other laws, rules and regulations of the Village of Johnson City, County of Broome or the State of New York; or
(4) Otherwise in accordance with law.

C. The inspection by the Code Enforcement Office shall determine the condition of vacant commercial storefronts located within the Village of Johnson City, and the Code Enforcement Office may issue notices as provided for in this chapter.

§ 262-6 Prohibited acts and required actions.

A. Violations of the following shall be deemed violations of the Vacant Commercial Storefronts Law:
(1) It shall be unlawful and a violation of this chapter for any owner of a vacant commercial storefront to provide materially false, misleading, or inaccurate information on any form submitted pursuant to this chapter.
(2) No owner shall, following reasonable notice and an adequate opportunity to correct the same, fail to correct a serious fire hazard or electrical violation in accordance with legal requirements.

Article III Requirements

§ 262-7 Property Maintenance.

§ 262-7.1 General.

The owner of a vacant commercial storefront shall maintain the premises as provided in this section. This obligation begins as soon as the commercial storefront becomes vacant and continues as long as the commercial storefront remains vacant.

§ 262-7.2 Exterior conditions. The owner of a building containing a vacant commercial storefront shall:

A. Continue to cut the grass and remove weeds, garbage, debris, dead trees and fallen limbs from the property.
B. Shovel any accumulated snow to allow public use of the adjacent sidewalk in the winter.
C. Keep the property free from pests such as rats and other rodents.
D. Remove or cover up exterior signage for businesses that are no longer operating at the property.
E. Comply with all maintenance obligations detailed under Section 119-12 of the Village Code.

§ 262-7.3 Internal conditions.

The owner of a building containing a vacant commercial storefront shall keep the storefront interior free from junk, debris, trash, rodents, pigeons, and pests. Exit doors should be secured with an internal deadbolt lock. The owner shall also comply with interior protection measures detailed under Section 119-13 of the Village Code.

§ 262-7.4 Security.

A. Exterior openings with secure doors and windows, without broken or cracked glass, may be left as-is so long as they remain secure and in good condition.
B. Plywood may be used only during the first six months the storefront is vacant.
C. After six months, exterior openings must be provided with new or repaired doors and windows or secured with commercial-grade metal security panels.
D. If a property has repeated break-ins, a 24/7 monitored alarm system is required.

§ 262-7.5 Signage.

Wherever a commercial storefront is required to be registered under this chapter, the owner shall post a sign at the premises indicating the registration number; the name, address and telephone number of the owner or the owner's authorized agent for the purpose of service of process; and the name, address, and telephone number of any person responsible for day-to-day supervision and management of the premises. The sign must be at least 8.5 inches by 11 inches and lettering must be legible from the public way.

§ 262-8 Insurance.

§ 262-8.1 General.

The owner of a vacant commercial storefront shall maintain liability insurance for the premises as provided in this section.

§ 262-8.2 Time for compliance.

This obligation begins 30 days after a commercial storefront becomes vacant or 30 days after the owner becomes owner of the commercial storefront, whichever is later. The obligation continues as long as the commercial storefront remains vacant.

A commercial storefront is legally presumed to have been vacant for more than 30 days if either:

A. It is vacant and has not been secured in accordance with this chapter.
B. It is vacant and more than one window, door, or other opening, in any combination, is boarded up and either:
    a. The yard contains grass or weeds more than 10 inches in height.
    b. The yard contains an accumulation of junk and debris.
    c. Snow and ice have not been removed to allow public use of the adjacent sidewalk
C. It is vacant and a request has been submitted to the county assessor's office or other government agency to reduce the assessed valuation of the property on the basis of vacancy.

§ 262-8.3 Minimum coverage.

For each building that contains at least one vacant commercial storefront, the insurance policy must provide commercial general liability coverage in an amount of not less than $1,000,000 per occurrence for bodily injury, personal injury, and property damage.

§ 262-8.4 Notice.

Any insurance policy acquired or renewed after the commercial storefront has become vacant must provide for written notice to the Code Officer within 30 days of any lapse, cancellation, or change in coverage.

§ 262-9 Owner Registration of Building Containing a Vacant Commercial Storefront.

§ 262-9.1 General.

The owner of a building containing at least one commercial storefront that is vacant must register the building with the Code Officer as provided in this section.

§ 262-9.2 Time for compliance.

This obligation begins 30 days after a commercial storefront becomes vacant or 30 days after the owner becomes owner of the commercial storefront, whichever is later. The obligation continues as long as the commercial storefront remains vacant. A commercial storefront is legally presumed to have been vacant for more than 30 days based on the criteria listed in Section 262-8.2 of this chapter.

A. Exceptions. This obligation begins one year after a commercial storefront becomes vacant or 30 days after the owner becomes owner of the commercial storefront, whichever is later, if rental or for sale signs, including valid phone and email contact information, are displayed and legible from the adjacent public way.

§ 262-9.3 Method of registration.

The registration shall be submitted on forms provided by the Code Enforcement Office and shall include the following information supplied by the owner:

A. A description of the premises, including, but not limited to, square footage, number of stories, age of the building, and most recent use of the building.
B. The names and addresses of the owner or owners. If the owner is a corporation, limited liability company or partnership, the address for each director, manager, or partner. The address must include a street address; a post office box is not acceptable or any adjoining county, the name and address of any third party with whom the owner has entered into a contract or agreement for property management as required by Section 166-8 of the Village Code. The address must include a street address; a post office box is not acceptable.
C. The names and addresses of all known lienholders and all other parties with an ownership interest in the building. Each address must include a street address; a post office box is not acceptable.
D. A name, address, and telephone number where a responsible natural person (not a corporation, partnership, or limited liability company) can be reached at all times during business and nonbusiness hours. The address must include a street address; a post office box is not acceptable.

E. If any mortgagee or lienholder has found the owner in default, then the status of any default proceeding or foreclosure

§ 262-9.4 Fees.

The fee for each registered building for each registration or renewal period is $100. The registration fee or renewal fee is $250 if the applicable registration or renewal takes place not through voluntary and timely compliance (See Section 262-9.2), but as the result of a Village identification of a violation of this chapter. Governmental agencies are exempt from registration and renewal fees.

§ 262-9.5 Duration.

A registration is valid for six months from the date of registration.

§ 262-9.6 Registration statement.

In addition to other information required by the Code Officer, the registration statement must include the name, street address, and telephone number of an authorized agent meeting the criteria listed in this section.

A. Where requested by the Code Officer, the owner shall provide evidence of the insurance coverage required by Section 262-8 at the time of registration or renewal; however, registration or renewal may not be denied for failure to provide evidence of insurance coverage.
B. A registration statement shall be a substantial proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Village against the owner.

§ 262-9.7 Renewal.

The owner shall renew the registration for successive six-month periods as long as the commercial storefront remains vacant.

§ 262-9.8 Amended statement.

The owner must notify the Code Officer within 20 days of any change in the registration information by filing an amended registration statement or notice of deregistration with the Code Enforcement Office in the form and manner specified by the Code Officer.

Article IV Penalties for Offense

§ 262-10 Penalties.

Any person violating any provision of the Vacant Commercial Storefronts Law, including but not limited to, failure to register and providing false information to the Enforcement Officers, shall be subject to the following penalties:

A. Such person will be subject to a fine of $1,000 or imprisonment not exceeding 15 days, or both.

B. The term “person,” as used in this section, will include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent or any other person, firm or corporation directly in control of the building or part thereof.
C. Each day of violation will be deemed to constitute a separate offense.

§ 262-11 Assessment of costs.

All inspection fees, reinspection fees, demolition costs, administrative costs and legal costs incurred by the Code Enforcement Office or Village of Johnson City in the enforcement of this chapter may be collected by an assessment or levy placed against the real estate, to be collected as a property tax or by judgment entered against the owner personally or against the real estate.

Article VI Additional Provisions

§ 262-12 Application for search or administrative warrant authorized.

A. The Code Enforcement Officer shall have the right to inspect a building or structure upon either: 1) the consent of the person in lawful possession of that building or structure sought to be inspected and the consent of the owner; or 2) upon the procurement of an administrative search warrant from a court of competent jurisdiction to enable such inspection.
B. The Code Enforcement Officer is authorized, on sworn affidavit stating the factual basis thereof, to make application to the Village of Johnson City or to such other court as may be deemed appropriate for the issuance of an administrative search warrant. The application for a search or administrative warrant shall, in all respects, comply with applicable laws of the State of New York and the United States.

§ 262-13 Notice of violation; method of service.

If the Code Enforcement Officer determines that there are reasonable grounds to believe that premises are being maintained in violation of this chapter, that officer shall give notice of the alleged violation to the owner or owner's agent of the premises, which notice shall contain the elements required of an information under the New York State Criminal Procedure Law. Such notice shall:

A. Be in writing;
B. Include a description of the real estate sufficient for identification;
C. Describe the violation, cite the applicable section of the local law and/or uniform code, and remedial action required;
D. Describe the facts upon which the violation is based;
E. State that all health, safety and maintenance violations must be corrected immediately. The Code Enforcement Officer shall return at a specified date to verify conformance with the order to remedy. Any maintenance items which cannot be completed at this time because of weather constraints may be granted a time extension. Reasonable time extensions may be granted by the Code Enforcement Office based on consideration of all relevant factors;
F. State that, if upon reinspection a violation still exists, the Code Enforcement Officer shall order that the structure be vacated;

G. Be mailed via first-class, registered or certified mail to the permittee or served upon any other person in accordance with the applicable provisions of the Criminal Procedure Law;
H. State the time to file an appeal, the amount of the appeal fee, the right to call witnesses and the right to be represented by counsel.

§ 262-14 Notices on sale of property; unpaid fines.

A. A seller of a property with a registered vacant commercial storefront, including property occupied under authority of an unrecorded contract for sale, shall inform the prospective buyer of the following at least 14 days prior to the closing:
   (1) Any outstanding notice regarding violations of the Vacant Commercial Storefront Law;
   (2) The existence of any court or administrative proceeding which pertains to alleged violations of the Vacant Commercial Storefront Law, stating the case numbers and names of all parties to the proceedings.
B. Every seller of a property with a registered vacant commercial storefront shall give notice in writing to the Code Enforcement Office within two business days after closing. This notice shall include the name and address of the buyer.
C. Each buyer of a property with a registered vacant commercial storefront shall give notice in writing to the Code Enforcement Officer within 10 business days after closing. The notice shall identify the address of the affected property, the name and address of all parties named in the contract, and the interests in the property conveyed or received by each party. The buyer shall also provide a copy of the deed, showing the date, book, and page within 10 days of recording.
D. Any unpaid fines shall run with the land and become a lien against real property and shall be enforceable against the subsequent owner of the property.

§ 262-15 Habitual violators.

A. An owner who fails to correct a violation within the time period given by notice, or an owner who has been required to appear before a court of competent jurisdiction for such failure, three times for the same property with a registered vacant commercial storefront or on three separate properties during a twelve-month period may be deemed a habitual violator if found by the Code Enforcement Officer, court, or Zoning Board of Appeals, where applicable, to have failed to correct the violations without good cause. Upon finding that an owner is a habitual violator, an agent or representative of such owner shall be deemed a habitual violator as to those properties.
B. A finding that an owner is a habitual violator shall be a basis for a court of competent jurisdiction to find probable cause for the issuance of an administrative search warrant for all properties owned or managed by a habitual violator. The owner may be placed on an accelerated inspection schedule by the court, thereby reducing certification periods, if the result of the unified inspection justifies such action.

§ 262-16 Levies upon real property.

To the fullest extent authorized under the New York State Village Law and the New York State Real Property Tax Law, the Board of Trustees shall have the authority to issue levies against the owner's real property for fines and/or fees due under this chapter.

Section 2. **Remainder**

Except as hereinabove implemented, 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.