



# Village of Endicott

Linda Jackson, Mayor

Timothy P. Wright, Deputy Mayor  
Nicholas Burlingame, Trustee  
R. Ted Warner, Trustee  
Patrick Dorner, Trustee

A Quality Community

Anthony Bates, Village Manager

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## Board Meeting June 5, 2023 6:00pm

### Order of Business

- 1. Pledge of Allegiance – Moment of Silence**
- 2. Fire and ADA Compliance Announcement**
- 3. Mayor Announcements**

Anthony and I had an eventful conference with NYCOM at Lake George. This organization has been a tremendous help to me over the years with their legal knowledge. Networking with other municipal leaders help to solve problems we all have in common.

There was a nice event at the community Center for children on Saturday. 'Go fly a kite!' The Community Center has requested a drinking fountain and pavilion near the outdoor basketball courts. Our water department is happy to run a water line to the area they chose. The Lyons club has taken this on as their project and will be assisting with the actual drinking fountain and building the pavilion.

We have received many calls regarding the new crosswalk signs. The area of Edwards and Loder really is a dangerous area. Our Village engineer has told me we will now be putting a four way stop there and taking out the bright signs.

Town of Union Supervisor Rob Mack is working very hard on securing the money we need for the property for our new water well. With no contract, we could not have a commitment in writing.

Attended a Chamber of Commerce breakfast. At my table the topic was downtown revitalization. At our Broome County Association of Towns and Villages meeting, a man from Dick's House of sports spoke. This will be the largest Dicks store in America.

The veterans put on a Memorial parade. Attended Sgt. Brad Solomon's walk out ceremony.

Had a discussion with the State and Broome County planning about the art park. The State has suggested we could use the infill property next to Endicott Florist if it becomes available.

Attended a graduation at Mom's house. Six women now have their college degrees and are working at professional jobs. Talked to the director about combining any Endicott Proud singles parent GED graduates with mom's house for further education.

Had a great time at Vestal's 20<sup>th</sup> anniversary. Assemblywoman Lupardo and Senator Webb were there with a beautiful plaque for Supervisor John Schafer and the Town of Vestal.

Update on Green Mountain. They are closing on a property in Kirkwood this week. They are continuing to look at options for the Kmart property.

Our well is down, and so is Johnson City's, the department is working on this.

I have reached out to the Mayor of Johnson city to set up a meeting to discuss the needed water main they have.

The high school had a practice disaster drill today. It is wonderful how our departments all work together for safety and protection.

I want to thank all the people who are continuing to send me ideas for what we can bring to the Village. I would like to have some people on a Mayor's Advisory Committee to help me make some of these ideas a reality. Anyone interested please contact me at [voemayor@endicottny.com](mailto:voemayor@endicottny.com)

#### 4. Trustees

**Burlingame**-Reminded all the St. Anthony's Feast Days, attended Sgt. Brad Solomon's walk out ceremony as well as the Villa Thai grand opening. Comments re: smoking in Village parks.

Reminded all of the Village law and recommends re-visiting the Smoking Law.

**Wright**- a motion was made to add the Text Alert System to tonight's agenda under New Business and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Abstain

Burlingame-Yes

Warner- Yes

Dorner- Yes

Wright-Yes

**Dorner**-Reminded all of the St. Anthony's Feast days, Concert Series and the Dick's Open. He sent his condolences to the Ciotoli family in re: to the recent fire in their home.

**Warner**-Asked about the Mayor's political event at the Visitor Center. The Mayor stated that this is a political event and he can speak to her privately. Mark Ponzi stated that he paid for this event in full. He asked the Mayor for clarification of a post re: job availability. Asked about reviving the Beautification Awards that use to be done within the Village. Discussion was had to draft a resolution for the committee. The Mayor asked if he would like to chair the beautification committee and he stated no but he would like to pass this onto Endicott Proud or someone else. Spoke of the bright yellow crossing walk signs. The Mayor suggested amending the local law for Edwards & Loder St.

#### 5. Village Manager

Spoke of the demolition project and Phoenix. Met with potential buyers of the Philadelphia Sales property. He spoke of the DRI and stated that he is allowed to create the RFP and to select a firm that can work the project for us. We cannot enter an agreement until received from the State but we can start the process to get there. Hoping to complete the RFP for the Brownfield Opportunity Plan. He spoke of the NYCOM conference and a class that he attended re: post COVID downtown revitalizations.

**6. Attorney for the Village**

Commented on that the smoking laws are regulated by the State. He will forward to the board a law that he had drafted for another Municipality

**7. Special Presentations-**

a. A motion to add a special presentation under item #7a was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner- Yes  
Dorner- Yes                      Wright- Yes

Greenlight- Fiber Internet

**8. Public Hearings**

- a. Public Comment re: LL# -2023- No Parking on Davis Ave  
As no one wished to speak, Mayor Jackson closed the public hearing
- b. Public Comment re: LL# -2023- Grass Fines & Fees  
As no one wished to speak, Mayor Jackson closed the public hearing

**9. Resolutions/Local Laws**

a. LL#06 -2023- No Parking on Davis Ave

A motion to approve was made by Trustee Burlingame and seconded by Trustee Wright  
Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner- Yes  
Dorner- Yes                      Wright- Yes

b. LL#07 -2023- Grass Fines & Fees

A motion to approve was made by Trustee Burlingame and seconded by Trustee Warner  
Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner- Yes  
Dorner- Yes                      Wright- Yes

c. R#17 -2023- Companion Grant Application- Tri-Cities Airport

A motion to accept Companion Grant Application was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain                      Burlingame-Yes                      Warner- Yes  
Dorner- Yes                      Wright- Yes

**10. 1st Hearing of Visitors- (3-minute limit)**

Mario Salati-939 N Rogers Ave-comments re: the beautification award suggestion. Comments re: the GFJ Monument donation from the Village

Mark Ponzi, 101 Cornell Ave-comments re: professionalism at board meetings.

As no one else wished to speak, Mayor Jackson closed the 1st hearing of visitors

### 11. Approval of Minutes

#### a. VOE 5/1/2023

A motion to approve the 6/5/23 minutes was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

#### b. VOE 5/15/23

A motion to approve the 5/15/23 minutes was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

#### c. VOE Parking Authority Minutes

A motion to move the parking authority minutes to filing, item 12c was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

### 12. Communications for Filing

#### a. Notice from Charter Communications- 5/30/2023

#### b. Acknowledgement email notice to the Mayor from Christine Cannavino

re: R. Tinklepaugh/VOE Code Office

#### c. VOE Parking Authority Minutes

A motion to approve all filing a-c was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

### 13. Communications for Action

#### a. Mersereau Park Violation

A motion to allow the Mayor to sign the Mersereau Park Violation and Consent Order was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

b. Dick's Sporting Goods Open- Firework Display

A motion to approve Dick's Sporting Goods Open- Firework Display pending a revised insurance certificate naming the Village of Endicott as additionally insured was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

c. Medicare Audit Agreement

A motion to approve the Medicare Audit Agreement was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

d. Workers Comp Funding Contribution- Participation Agreement

A motion to approve the Workers Comp Funding Contribution- Participation Agreement was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

e. BC Hazard Mitigation Plan- Letter of Intent

A motion to approve BC Hazard Mitigation Plan And authorize the Mayor to sign the Letter of Intent was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

f. Pedestrian Safety Improvement Project- Supplemental Agreement #1

A motion to approve the Pedestrian Safety Improvement Project- Supplemental Agreement #1 was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Abstain	Warner- Yes
Dorner- Yes	Wright- Yes	

**14. Bid(s)- None**

**15. Accounts Payable for Action      6/5/2023      \$208,994.63**

<b>GENERAL</b>	<b>\$85,323.81</b>
<b>LIGHT</b>	<b>\$5,381.25</b>
<b>WATER</b>	<b>\$57,518.20</b>
<b>WASTEWATER</b>	<b>\$58,096.32</b>
<b>CAPITAL</b>	<b>\$1,134.00</b>
<b>LIBRARY</b>	<b>\$894.19</b>
<b>PARKING</b>	<b>\$646.86</b>
<b>TRUST &amp; AGENCY</b>	<b>\$0.00</b>
<b>TOTAL</b>	<b>\$208,994.63</b>

A motion to approve the a/p for 6/5/23 was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain      Burlingame-Yes      Warner- Yes  
    Dorner- Yes      Wright- Yes

**15a. ACH's for 6/5/2023-\$4,092.33**

A motion to approve the ACH's for 6/5/2023 was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain      Burlingame-Yes      Warner- Yes  
    Dorner- Yes      Wright- Yes

**15b. Pre-Paid's for 6/5/2023-\$129,378.77**

A motion to approve the prepaids's for 6/5/2023 was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain      Burlingame-Yes      Warner- Yes  
    Dorner- Yes      Wright- Yes

**16. Unfinished Business**

a. Johnson City Well- Attorney McKertich commented the option agreement has been agreed upon by both sides and out for signatures. The Town of Union is working on the funding but will first review the Village's contract.

**17. New Business**

a. Chugnut Trail Agreement & Regulations- riding horses- Held over until 6/19

b. Washington Ave Project bids extended to June 9, 2023

A motion to approve to extend the Washington Ave Project bids to June 9<sup>th</sup> was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

c. Text Alert System

Trustee Wright gave an update on emergency text alert system, TextMagic

A motion to authorize the Village of Endicott’s use of TextMagic’s text messaging notification services and Attorney McKertich will amend the Village policy was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain	Burlingame-Yes	Warner- Yes
Dorner- Yes	Wright- Yes	

**18. 2nd Hearing of Visitors**

Mark Ponzi-comments re: iM3 and Magna Energy

Carol Layton, 123 Wilson Ave- comments re: emails vs texting with the Text Alert System

As no one else wished to speak, Mayor Jackson closed the 2nd hearing of visitors

**19. Board Comments**

**Wright-** commented on the Code Enforcement report and noted they have closed a lot of cases. Noted that he would get with the street dept re: overgrown parking lots and the vacant homes located at the entrance to the Village.

**Dorner-** spoke of donations by groups to a Village/non Village event. Event organizers cannot solicit for donations and cannot use Village letterhead for mailings. Comments re: Imperium3 and the DEC and a compliance document re: fire safety. Trustee Warner suggested a presentation by Imperium3.

Village Manager added that the EPD Award Ceremony is being held prior to the 6/19/23 board meeting.

**20. Executive Session**

To discuss the proposed sale of real property when publicity would substantially affect the value thereof

A motion to enter into executive session at 8:10pm to discuss the proposed sale of real property when publicity would substantially affect the value thereof was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Mayor Jackson- Abstain      Burlingame-Yes      Warner-Yes  
Dorner-Yes      Wright-Yes

A motion to exit executive session at 9:18pm was made by Trustee Burlingame and seconded by Trustee Dorner

**21. Adjournment**

A motion to adjourn at 9:18pm was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Abstain      Burlingame-Yes      Warner- Yes  
Dorner- Yes      Wright- Yes



**VILLAGE OF ENDICOTT  
LOCAL LAW NO. 6 OF THE YEAR 2023**

**A LOCAL LAW AMENDING CHAPTER 235 OF THE VEHICLE AND TRAFFIC LAW TO  
RESTRICT PARKING ON CERTAIN PARTS OF DAVIS AVENUE**

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

Section 1. Amendment to Section 235-74, Schedule XIV: Parking Prohibited at All Times

Section 235-74 of the Village of Endicott Code shall hereby be amended by adding the following to Schedule XIV:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Davis Avenue	West	From W. Edwards Street southerly for 410 feet

Section 2. Remainder

Except as hereinabove amended, the remainder of the Village Code of the Village of Endicott 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.

**CERTIFICATION**

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held on the 5th day of June 2023. Said resolution was adopted by the following roll call vote:

A motion to approve LL#06-2023 was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Burlingame-Yes

Warner-Yes

Dorner- Yes

Wright-Yes

Village Seal

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Anthony J. Bates, Village Manager

**VILLAGE OF ENDICOTT  
LOCAL LAW NO. 7 OF THE YEAR 2023**

A LOCAL LAW AMENDING CHAPTER 103 OF THE BRUSH, GRASS AND WEEDS LAW  
REGARDING FINES AND FEES

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

Section 1.     Amendment to Section 103-5: Procedure Upon Failure of Owner or Occupant to Cut or Remove

The first sentence of Section 103-5 of the Village of Endicott Code shall hereby be amended by inserting the following between “thereof” and “shall”:

, plus a \$50.00 administrative fee,

Section 2.     Amendment to Section 103-6: Penalties for Offenses

Section 103-6 of the Village of Endicott Code shall hereby be amended by deleting that Section in its entirety and replacing it with the following:

- A. Penalties. In addition to such other penalties as may be prescribed by State law,
  - (1) any Person who violates any provision of this chapter or any term, condition, or provision of any notice issued pursuant to this chapter, shall be punishable by a fine of not more than \$250 per day of violation; and
  - (2) any Person who violates any provision of this chapter or any term, condition, or provision of any notice issued pursuant to this chapter, shall be liable to pay a civil penalty of not more than \$250 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Village.
- B. Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this chapter. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board of this Village.
- C. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy available to address any violation of this chapter.

Section 3.     Remainder

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

Section 4. 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 5. 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.

**CERTIFICATION**

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held on the 5th day of June 2023. Said resolution was adopted by the following roll call vote:

A motion to approve LL#07-2023 was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Burlingame-Yes

Warner-Yes

Dorner- Yes

Wright-Yes

Village Seal

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Anthony J. Bates, Village Manager

VILLAGE OF ENDICOTT  
1009 E MAIN ST  
ENDICOTT, NY 13760

RESOLUTION R#17-2023

June 5, 2023

Authorizing award of the rehabilitation project, signature of a final companion grant application, and acceptance of a companion grant offer from the Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT) for work at the Tri-Cities Airport described as Rehabilitation of Taxiway A including Stub Taxiways B, C, D, and E.

**WHEREAS**, the Tri-Cities Airport, as a public-use facility included in the National Plan of Integrated Airport Systems (NPIAS) and a part of the New York State Airport System Plan (SASP), is eligible for funding through the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP) for Federal Fiscal Year 2023, AND

**WHEREAS**, the Village of Endicott re-advertised a solicitation for bids for the Construction Phase of Rehabilitation of Taxiway A including Stub Taxiways B, C, D, and E project, AND

**WHEREAS**, the bid proposals were received and opened for this project on April 20, 2023 and the following list constitutes the results of said bid opening:

<u>BIDDER NAME</u>	<u>BID AMOUNT</u>
Dalrymple Gravel and Contracting Co., Inc. 2105 South Broadway Pine City, NY 14871	\$1,087,075.00
Rifenburg Construction Inc. 159 Brick Church Rd Troy, NY 12180	\$1,249,115.00
L&T Construction 145 Podpadic Rd Richmondville, NY 12149	\$1,519,242.34
Bothar Construction, LLC 170 East Service Rd Binghamton, NY 13901 , AND	\$1,678,555.00

**WHEREAS**, the lowest responsible bid received for the construction phase of said project was received from Dalrymple Gravel and Contracting Co., Inc. 2105 South Broadway, Pine City, NY 14871 in the amount of \$1,087,075.00, AND

**WHEREAS**, the Rehabilitation of Taxiway A including Stub Taxiways B, C, D, and E is eligible for funding of 90% under the AIP (AIP Grant # TBD), 5% by the New York State Department of Transportation (NYSDOT), and 5% by the Village of Endicott, AND

**WHEREAS**, this grant application shall act as a companion grant to the already accepted and in-place FAA AIP Grant No. 3-36-0027-032-2022 approved by the Village of Endicott Board of Trustees under Resolution R#06-2022 on February 21, 2022; AND

**WHEREAS**, the Village Board of the Village of Endicott desires to advance the Project by committing funds for the local match, the funding shares for the companion grant being divided as follows: Federal (FAA) \$122,010; State \$6,778; Local \$6,779; for a Total of \$135,567; now, therefore be it

**RESOLVED**, that the Village of Endicott Board of Trustees hereby endorses and approves the grant application to the Federal Aviation Administration and the acceptance of a FAA AIP Grant for the Rehabilitation of Taxiway A including Stub Taxiways B, C, D, and E, and it is further;

**RESOLVED**, that the Mayor of the Village of Endicott is hereby authorized to execute all necessary documents and plans on behalf of the Village of Endicott with the Federal Aviation Administration, New York State Department of Transportation, and McFarland Johnson, Inc. in connection with this project, and it is further;

**RESOLVED**, that a Certified copy of this Resolution be filed with the Federal Aviation Administration by attaching it to any necessary Agreement in connection with the Project; and it is further

**RESOLVED**, that this Resolution shall take effect immediately.

**CERTIFICATION**

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held on the 5th day of June 2023. Said resolution was adopted by the following roll call vote:

A motion to approve R#17-2023 was made by Trustee Burlingame and seconded by Trustee Wright

Roll Call

Burlingame-Yes

Warner-Yes

Dorner- Yes

Wright-Yes

Village Seal

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Anthony J. Bates, Village Manager