



VILLAGE OF JOHNSON CITY
MUNICIPAL BUILDING
243 MAIN STREET, JOHNSON CITY, NY 13790
www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Deputy Mayor Clark Giblin Trustee Martin Meaney
Trustee Benjamin Reynolds Trustee John Walker

**Minutes of a Work Session of the Johnson City Village Board held at 5:00pm on
Tuesday, January 5, 2021 via Zoom Video Conference**

Present: Gregory Deemie, Mayor
 Clark Giblin, Deputy Mayor
 Martin Meaney, Trustee
 John Walker, Trustee
 Benjamin Reynolds, Trustee

Absent: None

Also Present: Cheryl Sacco, Legal Counsel
 Cindy Kennerup, Clerk/Treasurer
 Thomas Johnson, Deputy Clerk
 Joshua Holland, Director of Public Services

Mayor Deemie called the meeting to order at 5:00 p.m.

Mayor Deemie informed the Board that he asked Joshua Holland to come in and give us a run down of what went on during the storm so everyone knows what we went through and he has a few other things he wanted to talk to the Board about.

Joshua Holland, Director of Public Services asked for any questions about what they did or how they handled things or any comments.

Trustee Walker stated he got a couple complaints from the people on his street about the street wasn't cleared as most of the streets in the neighborhood were. When the payloaders went down and cleared the streets, theirs wasn't cleared.

Josh responded when the loaders and dumptrucks came, they weren't the Johnson City crew, they were random contractors that the State brought in to help us and we focused on the south end of town first and then the north flats because those are the parts that flood and that's what was happening next. Then we moved to the north hills where most of you guys lived. We definitely didn't play favorites. He felt bad one of the streets that didn't get touched until after the storm, was Pearl Avenue where Michael Sherba lives. That was just a process of timing and when can we get the people and what areas are the most prone to flooding. It was not favoritism or any of that stuff.

We weren't actually directing them, when they finally got to the north hills, we set one on one end by Zoa and one on the other down by the end of the cemetery and they worked the middle as much as they could and he only had the state contractor's crews until Wednesday, 12/23 at 6:00 and then they pulled out and went home.

Trustee Walker said he understands he was just following up on complaints he got.

Mr. Holland added, as the complaints came in after Christmas, they didn't get to Endicott Avenue until the 28th or so because they were still calling and complaining after Christmas. We did them as we could as the alternate street parking so it took two days to get to some of those streets too. It was quite the learning experience to deal with snow like that, snow coming down that fast and that hard. The EOC calls were helpful. He learned at the beginning of it he said if they had a couple loaders and a couple trucks, he would take them because we were managing the storm the best they could. If we ever get a storm like that again, he would ask for the payload as many as they could and as quick as they could give them to him and try to have a different response and he feels they did the best they could. The snow routes were plowed the best they could be. He instructed his guys to not do the pushback because he didn't want the people to have to shovel four feet of snow and then have to shovel four feet of snow again. Not asking for help soon enough was a rookie mistake on his part, but he thinks they did the very best they could. He doesn't foresee another storm happening like that for years.

Trustee Meaney stated a lot of people he spoke with had nothing but praise. He was contacted by Mrs. Gallagher who lives on Overbrook and she said she had a bit of a problem and you got up there in no time flat and she was very grateful and thankful for the quick response. He said he had zero negative feedback from anybody, everything was positive.

Trustee Walker reiterated they were just questioning because all the streets around us had been done. He said Thursday morning he got up around 4:30am and plowed or blew his driveway, his road, there was a plow that went down the road during the night and he was the only person that made it into work in his department that morning. He was very appreciative of that.

Trustee Giblin acknowledged he heard nothing but praise, understands Mr. Holland's philosophy on where you go first and there is no criticism there. He thinks some Town of Union and Binghamton folks he works with were plowed in well beyond days after our streets were cleared.

Trustee Reynolds admitted he came and spoke with Mr. Holland a couple days after the storm and he asked what he thought and he agreed with Trustee Giblin.

Mayor Deemie confirmed he was in constant contact with Mr. Holland for most of the storm and he knows how the Mayor felt about the guys did and what they were doing and the job they did. He got both praises and complaints, well not complaints, just questions on when things were going to happen and he passed them onto Mr. Holland. As Mr. Holland said once the state came in that was a big help, but as he said we learned a big lesson. As usual, Endicott was in a world of hurt, Binghamton was in a world of hurt from what he understands and what he saw. We are not running their departments; we are running ours and they did a great job. Mayor Deemie thanked DPW for all the hard work.

Mr. Holland declared on Camden Street where the Water Department is, the only plow they saw was our Village of Johnson City Water Department crew. They didn't see a plow that was a

Endicott or Town of Union plow at all, not even one time. He deployed the forces the best he could. He had the Water Department helping and they had their backhoe and dumptrucks and he had the State guys and our guys. We went a 26-hour shift, then a 24-hour shift and then two days of 12-hour shifts and then he finally started sending guys home and said they needed some sleep. Everyone was run ragged. It was bad. He doesn't think any of them slept for a week.

Mayor Deemie said the job they did saved a lot of heartburn when the rain came afterwards. You took the initiative to go around and clear out the DIs so the water could flow and we wouldn't have any major flooding. We did get a few basement issues, but you are going to get those no matter what with the water coming down the hills and not going into streets where it is supposed to go, but there is nothing you can do about that.

Mr. Holland explained he tried to work with the police department when they said they really wanted Willow cleared so they started yanking cars and he sent his guys out immediately. They closed down a block at a time by blocking it with dumptrucks and moved up the road until they got to Main Street. Everything is still a learning experience for him. People asked him what his plan was fourteen times, and he didn't have one. He was just trying to manage and stay alive.

Mr. Holland discussed the following:

- After the storm he met with Trustee Meaney and Mr. Sobiech at the CFJ and Lester Bridge, notwithstanding the lawyer letters from 25 years ago or what happened in the past, he is going to monitor that and as the water goes down probably this spring, he will try and get in there and at least scrape the top of the water and try and clean some of the sediment out and clean up so it doesn't affect our bridge in any way.
 - Trustee Meaney thanked Mr. Holland for how well prepared he was with the guy from soil and water and he was thoroughly impressed and he handled it really well. It has been an ongoing problem as he saw through the history and he knocked it out of the park and Mr. Sobiech is ecstatic over the way you responded and are going to look at the problem.
 - Mr. Holland wasn't sure Trustee Meaney had seen the letters from the attorney from 1994, but he wanted to make sure he was apprised of the entire situation because he knew it was an ongoing issue with this back into the 90's.
 - Trustee Giblin thanked Mr. Holland and stated that Anthony called him as well and he pushed him towards Marty because he couldn't get out of the house.
 - Mr. Holland acknowledged that was a full court press and one of the things Trustee Reynolds brought to his attention too. Apparently, he talked to Ben that day too.
 - Trustee Giblin stated it has been an ongoing issue and them trying to figure out a way to get something done. He appreciates Mr. Holland looking into this.
 - Mr. Holland said they may not understand, but the engineering there is a concrete channel and it is very narrow and tight and made so the water is going to come down with a lot of velocity and as soon as it turns a corner and goes underneath our bridge it widens out and shallows up and it doesn't have the force to carry all that sediment it is bringing from the hills anymore. It is gunning down there because that is the easiest spot and water always finds the easiest path. He spoke with the Mayor and he said the island downstream is lower by a couple feet than he had seen it before. If you look now, even today, the sediment pile is a little less than it was a week ago just with the rain we have gotten since then. Nature tends to take care of itself, but we will try to keep it away from our bridge abutments the best we can. And if anyone doesn't know what the attorney said in the 90's, basically, the attorney for

the Village in 1994 said, and he didn't necessarily love the response they gave because it wasn't very nice to our residents, that basically the resident owned the channel that is part of their parcels and the Village owns the little section underneath the bridge and the people of New York own the water that runs through there. So, unless it is an infrastructure issue, his hands are tied. They did say when he brought Tim McElwee down, he is the head of Soil & Water, and he said if it gets worse, we can scrape the top of the water with an excavator bucket to remove some of the sediment but it's going to fill back up. If we are going to do that he wants to wait until the water goes down so we can get more stuff out of there.

- Ms. Golazeski stated there is a water line that runs in that bed under that bridge.
- Trustee Walker was under the understanding that before when Mr. Sobiech raised these issues, he was told that we couldn't dredge that because the DEC had to be involved. Is that correct?
 - Mr. Holland responded anytime you go in a waterway in New York, the DEC has to be involved and that channel was actually engineered by the Army Corp of Engineers so, right there it gets to be a little more complicated. The way the DEC works, that he learned that day is that since it is not a trout stream it is easier to get a permit even if you are in the wrong time of year and if we deem it as necessary, Soil & Water will help him to get in there in the winter time if we need to. All of the parties are apprised of the situation and if something needs to be done, it can be done in a timely manner.
 - Mayor Deemie added in an emergency situation, we have the ability to work with them to do that. He talked to Janet Sobiech in regards to that and he told her we will monitor that and she is concerned about the levy erosion on the downstream side of the bridge where the buildup is and levy on that side is being undermined. He told her we are aware and will monitor that, we will keep an eye on it and if necessary, we will take action.
 - Mr. Holland stated Mr. McElwee from Soil & Water is aware of that area more than he is, knows the history and he has been a part of that for a while and he was very helpful and he told him and Marty that the native trees are there and they are not falling into the banks so the bank isn't eroding any more than it would naturally or than it has in the last twenty years.
- Mr. Holland informed the Board that we are in the process of an insurance claim because the back part of the DPW shop caved in after the snow and it crushed the tree chipper, leaf sucker and the pig truck as the sewer guys call it. We are in the process of the insurance claim for that. He is going to have to hire an excavator or a crane to lift that off of the equipment and see exactly how bad it is, but he thinks that everything in there is going to be gone. We did not fare worse than any other municipality.
- Lester Ave Bridge that goes over the train tracks is getting worse as we go on. The funding through the State has been released as of October. He needs to meet with the Public Works Committee, Trustees Walker and Trustee Giblin, and get that process started. As is gets closer to the budget, we really need to think about that. It is becoming a necessity very quickly and one that was set in our laps.

- Trustee Giblin said just shoot us an email and he can get together anytime.
- Mr. Holland stated per our request for qualifications process and exactly how that works. He has done it before but is unsure how that works in the Village. That is where he needs the Trustees help. He knew they went through and used a short list of engineering firms to grade them, so maybe we can skip a little bit of the RFQ process and we can move toward design and engineering quicker than in the past.
 - Trustee Giblin hoped Mr. Holland has some of the information. He went through it with Bob a couple times. Hopefully he had some of that information saved when they really went through in the qualifying of some of those firms. There is a lot of information there. We may have to go through that process fully again. He doesn't know the rules and exactly when the right time to do that but he will look at that with him.
 - Mr. Holland stated he was a meticulous record keeper. He met with Leslie Boulton today, the Commissioner of Public Works for Broome County and she helped him with that today. It is a three-year contract, that ends at the end of this year, so if we already rated the firms on the short list then we might not have to go through the whole process again. It might be as simple as reaching out to the top three on the list and ask them to give us an RFQ just for this project and not having to go any further and rate them all again.
- Mr. Holland informed the board of good news, for the first time since he started, we have the water system completely up and running with no issues, the Deyo Hill tank is back on line finally, the high lift pumps are both running as of today so that is a really good thing and the water guys said they can get some more sleep now.
- Mr. Holland got a project close out request from the governor about storm recovery for the water plant project and as soon as he gets some paperwork completed, submitted hopefully we can get a couple hundred thousand dollars back for that. That is only four years old.

Mayor Deemie informed Mr. Holland that the Town of Union is responsible for some of our bridges and for certain aspects of our bridges and suggested he touch based with Lou.

Mr. Holland responded the way he understood it is that the Federal Aid funding that has been released is just to replace the bridge deck so he doesn't know if Lou has anything to do with that. The biggest issue is the going to be the railroad right of way and that will take the most time and effort.

Trustee Meaney said that he has a good friend that once told him that this area is only separated by half a bubble, that everybody knows everybody. At any rate, he knows quite a few of the guys that work for the public works and they have nothing but pleasantries about him and how he is running the department and he thanked him for that. Some of these guys were getting stagnant and the change has been really positive, a good change and they appreciate how he is managing the department and he wanted to convey that message.

Mr. Holland responded he appreciates that. He is trying to be proactive with things like the monster that is over our head, COVID 19. We didn't really have a set-in stone procedure or policy. It is still evolving and sweeping through the garbage department. Simple things like that he wrote a policy and he had a meeting and talked to everyone. They went through and met with the union representation about the things that are not allowed on the uniform allowance, simple stuff to make the Board's life easier and his life easier and it has been very well received to be proactive instead of reactive to these things.

Trustee Meaney said keep up the good work. He appreciates it.

Mayor Deemie informed the Board he talked to Chief Dodge and he had nothing but praise for Josh and the way he handled things with the department and everything that has gone on recently. That he is good to work with and easy to work with and that things are being done in a timely manner and getting done as necessary. He thanked Josh for all the hard work and said he was a baptism under fire.

Mr. Holland stated if we can get through January of this year, we can make the next 25, there isn't a lot we can't handle now.

He praised the Board and said the foreman, the crew leaders, the knowledge base down there, he has a wonderful crew. The girls in the office, working with Cindy has been a godsend, she has helped him a lot. Dee is a wealth of knowledge even if she doesn't answer the phone for a couple days, she is nice to get a hold of too. Every time he has a question, she helps a lot. It has been quite the learning experience, but he wouldn't trade it for the world. It has been a lot of fun too.

Mayor Deemie asked Daria Golazeski, Town of Union Code Department to come in and talk. The Bard had some questions about the demoing on Broad and Marty texted in regard to the building that crashed down behind Giblins on Broad and also wondered if Ben or Dee could update on the vacant housing project we have going on.

Trustee Reynolds advised the Board he emailed Dee the other day that he would like to get going with her before the end of January. Nothing right now, but they will talk about that sometime this week and get together before the end of January.

Trustee Walker spoke regarding collapses. 13 Lincoln, the one that was cited with the cars. Their car port collapsed on a bunch of the cars. It is on the odd side of the street. The guy did a curb cut in the middle of the winter and never told anyone, put a driveway in the back yard. There are 13-15 cars there all the time. It is a disaster.

Ms. Golazeski responded she thinks its 15 Lincoln. The one, 20 across the street was another problem. They did not get a report regarding the carport or the DPW garage. She will look into it.

Daria Golazeski discussed the following:

- They gave demolition contractors to the owner of 13 Broad Street to get that debris removed.
- The out-of-town contractor doing the demolition on North Broad tried to blow up the block before Christmas because he hit a gas line because he never called Dig Safely. The wall that is left running perpendicular on the property has the gas meter on it. They got all the utilities out and the water meter out. She will talk to Josh tomorrow about the condition of all the debris on the sidewalk and hopefully it has not damaged that. She will have Ken contact the contractor to see why he hasn't done anything to remove anything there.
- Worried about the wall for the Isabelle parking lot that wasn't next to these buildings. She thinks there was a fire there in the 70's.

- Trustee Meaney confirmed it was huge.

That wall is looking a little bit funky. She mentioned it to Bob before he left, but she is not sure if he looked at it or not. She is concerned about the guide rail. She will talk to Josh

about it tomorrow as they are meeting with UHS. They are going to take 10-12 Broad down too.

- They are dealing with the mortgage company for 11 Ukrainian Hill. The old Dennis Messersmith property. They are looking for a contractor for demo and she sent them all three that did all the demos for the town for the flood buyouts. Gorick, ZMK and LCP.
- Have not received anything yet from the University regarding their demos on Lewis.
- They have interest in Toys R Us site, but have not gotten anything regarding what type of user or who the user will be. She has had some long conversations with some engineers.
- Not in the Village, but we may get some calls. They are going to start demo on Goudy station at some point. That will be good to see it go. The firm is out of Union, New Jersey. They are dealing with Sunstream to do the asbestos abatement removal and they are in touch the New York State Labor Department, Asbestos Control Bureau in Syracuse to make sure everything is on the up and up there.
 - Mayor Deemie questioned them using the rail system. The rails from Riverside Drive and down past the University correct?
 - Ms. Golazeski replied Yes, that is what she heard from their conversation with Gary. They want to use the rails to get the debris, metal out of there. Yes, where you want the rail trail.
 - Mayor Deemie said they have taken the crossing arms down there on Willow. Last time he went by there were no crossing arms.
- Trustee Walker asked if the Coury building was down
 - Ms. Golazeski responded the apartment building is down. We are trying to push her to find the asbestos company to do the survey for the old furniture store.
- The County took ownership of 29-31 Carhart, 78 Main Street, and 6 Main Street Terrace. They did not tell us when they were going to do it. Of course, she found it by doing a deed search last month. So those three we do not have to have the hearings for on the unsafe structures. We have to ride them. She is not sure if it would be a land bank demo possibility. She suggested the Mayor reaching out to the land bank about that. She could get some rough estimates for demo for those properties.
 - Attorney Sacco asked for the addresses.
 - Ms. Golazeski responded 29-31 Carhart, 78 Main Street, and 6 Main Street Terrace. Two of them were scheduled for a hearing under unsafe building this month. The County has taken them as of December 15th with a bunch of other properties she found the deeds for. Her thought would be demolition.
 - Trustee Walker inquired as to the cost the Village spent boarding these properties up. We incur costs boarding these properties up and the County takes them and we lose the money.
 - Ms. Golazeski replied they rolled and we are probably not going to get money back from the County. She can find out what it was. She said, if we had known about it, we wouldn't have boarded them.
 - Attorney Sacco added her and the Mayor have had multiple conversations with different directors at Real Property and the County Attorney's office and the County Executive asking them to please tell the local governments what is happening. They promised us they would send us a copy of the deeds and give us notice. There is no way of knowing what they are doing and it would be nice if there was cooperation.
 - Trustee Walker asked who heads that department up in the County?

- Ms. Golazeski, Mayor Deemie and Attorney Sacco responded Mike Decker. Mayor Deemie said it used to be Hamlin.
- Ms. Golazeski said they also took 303 Oakdale which is the property we would really like to get down also. She has talked to Sarah at the Community Development office at the Town and they have money available to do a demo on that if the County transfers it to the Town. The Town has to have ownership to do that demo. She really wants to push for that to get demoed. Sarah does have some funding available. She will talk to her about 29-31 Carhart, 78 Main Street, and 6 Main Street Terrace. The Town has to have ownership to have use of the Community Development funds. She will talk to the contractor to see if they can give her some rough estimates.
- The Board will be getting a memo for your next board meeting regarding 254 Grand/175 Hudson. They have never responded to anything; they haven't done anything to rectify the situation. It has gotten worse. She has some pictures she will email to the Board along with her letter. There is more garbage, people are parking cars on the property, some of them not licensed. They have sent letters out on that. That was a \$45,000-\$50,000 demolition estimate. They cannot use community development funds because we have to have ownership and unless we go through eminent domain to get ownership, we can't use those funds. The next step would be going to the Supreme Court for an order to demolish.
 - Attorney Sacco asked if this was one of the ones that the actual contact and service on the owner was questionable?
 - Ms. Golazeski replied we found one the addresses that we had service on the last time. She will check with Kelli to see if she got any green cards back. There were two different addresses on Rutledge Avenue, Brooklyn.
 - Attorney Sacco stated part of the problem doing a demo under the unfit structure is too risky because we are uncertain. So, it would be a Supreme Court lawsuit so there is an expense to that plus the expense for the demolition. That is a thought that the Board would have to consider. We have a lot of code issues, so this is a legitimate thing to talk about, but legally this is a higher standard for a reason while Dee is talking about going for actual litigation.
 - Ms. Golazeski will talk to the County about find out how far behind they are on taxes. They did let them pay \$49,000 a few years ago and stop the foreclosure that was going to occur then.
 - Attorney Sacco said we were very excited at the time because we were hoping the County would take it and the County took the money.
 - Ms. Golazeski with no contact information from the person that paid the money. No phone number, no email, no name.
 - Attorney Sacco stated her favorite is the check that bounced. The bank paid the money then they didn't cash the check.
- Ms. Golazeski thinks they took 156 Ackley too. That would be another for the land bank, but she will double check. She will send the Board the information regarding all the properties.
- Mayor Deemie questioned 226 Baldwin.
 - Ms. Golazeski answered the guy bought it from the County, he went through the planning process to get approvals, reduced the size of the units. Got taken by the contractor for \$30,000. He is trying to sell it. It is in court, but court has been canceled the last two months. They are supposed to be coming in and they have given them information as to what is approved and what is void now. They have to come back through and we haven't heard anything. Court has been a nightmare on

- that and dealing with the owner has not been fun. That one she really would have liked to see that go to the land bank before the County sold it.
- Trustee Walker asked if it was the old Moose Building.
 - Ms. Golazeski responded no, it was the Rosefski building when she was in grad school. She stated the Moose Lodge was purchased, but she doesn't know what they are doing with it.
 - Trustee Walker said they purchased and they were trying to put a second story on.
 - Ms. Golazeski said the developer backed away from that and someone else has bought it, but they haven't come in at all.
 - They are trying to sell the lots on JT Boulevard and that area and Cheryl and her are doing a lot of research on that because it is really a confusing situation.
 - Attorney Sacco said we seem to have paper roads, fake roads that never were roads that don't look like there is potentially deeds anywhere. The properties don't seem to go to the middle of the road but the Village and Town before the Village annexed it and nobody took the roads. They want to find the deeds because we want taxes to be paid.
 - Trustee Meaney said he got a map when he got on the fire department when he first started.
 - Ms. Golazeski stated they are still on the GIS.
 - Mayor Deemie said there was supposed to be a development up put in there at some time. They were going to put a road off of Deyo Hill Road.
 - Ms. Golazeski added there are two houses just in the Village boundary that are connected to the sewer and water from the Town of Dickinson. They never should have been built without the street being handled correctly. She touched base with Joel from the Town of Dickinson as to the water and sewer issues and the extensions of that. There is going to be a water tank issue for the supply of the water to that area that we've had a problem with southerly hills when that was proposed years ago. So that is going to be an issue along with stormwater. It is Argyle, JT and the problem is not all the lots are owned by the same people. The County foreclosed on two of them last month. It is a very complicated issue.
 - Trustee Meaney asked what is going up there? Development, housing?
 - Ms. Golazeski answered it was a guy from New York City she talked to this afternoon. He wanted information and she gave him what she could. She made sure she had Jill and Randy there so they knew what was going on so when she retires someone else knows what is going on. It is only zoned for single family
 - Attorney Sacco added the lots look like they are set up to be residential lots and the streets are set up so it looks like housing development.
 - Ms. Golazeski is worried about some of the widths of the streets that they are not 50 feet. That is something to be concerned about. He is just starting some of his investigative work.
 - Trustee Meaney said on N. Broad where they are tearing everything down, what are the plans after demolition? Are they just going to rebuild or are they just removing the structures?
 - Ms. Golazeski responded she does not know it is going to have to go through the planning process. It is Isaac Anzaroot. They have not talked to her.

- Trustee Meaney asked if there is any notification process when someone takes a home, decides to turn it into a rental property with multiple people who may not be related.
 - Ms. Golazeski responded no. Amanda gives them a list every month of real property transfers from the Water Department and they go through and look and see if there is not an address that corresponds with the mailing address for the property, they send a letter about a rental registration.
 - They had a couple who bought a house on Theron that has been vacant for a long time. They talked to Air B&B and they said they should put three self-sustaining rooms with kitchenette's, bathroom suites.
 - Ms. Golazeski told them that is a three-family and that is not legal there. They backtracked and they have had long conversations there.
 - She told them they cannot have more than three unrelated people and cannot put in a fourth bedroom and a fourth bathroom.
 - They can't put in individual kitchenettes. It requires a certain size dining room, a certain size living room, a certain size kitchen, depending on the number of occupants. They are catching them as they catch them, but it can be difficult to track them down. To get into a single-family house.
 - They have a court case that has been pending for 10 months, 71 St. Charles, for violating the ordinance of boarding house rule of having more than three unrelated people. It is a Russell Phelps property where someone has a land contract and we don't know who the land contract holder is until they satisfy the land contract and purchase the property which is a problem and they are trying to fight Code in court and they have determined it to be a boarding house. There are individual locks on the doors, there's unrelated people. They are moving people in and out, but that court case has not gone to trial yet. The attorney handling it has done a really good job on it.

Trustees Meaney and Giblin thanked Dee.

Trustee Meaney said he wrote to Chick-fil-A seven months ago and they linked to the Toys R Us site and they asked him if he wanted to start a franchise there. So, before any word gets out, he said no.

Mayor Deemie thanked Ms. Golazeski for the update. They will have her come in next meeting also.

Mayor Deemie asked Attorney Sacco if they needed to discuss the sewer rates in public or if they need to go to legal recess? Attorney Sacco said that is typically done in public. If we are going to do anything with this, we need to first set a public hearing and then they vote on it. Probably a March time frame when it would go into effect. It wouldn't be until the following quarter's rates. It takes time.

Thomas Johnson, Deputy Clerk talked about the proposed sewer rates. He said it will be a short discussion as he only brought step 1 of the three charts that he put out because he wasn't paying attention. A couple things the Board should be aware of.

- The sewer revenue for last year ended in May, it was \$2,600,000. That was with \$648,000 a quarter.
- Our budget for this year calls for \$4,043,000 which is a little bit over a million per quarter. They just posted the January billing. So, for three quarters we have \$2,529,000 that's an

average for the three quarters of \$843,000. So, it appears we are going to be a little short. He wants to put those numbers in the Board's head as to what we are proposing for this year and what we are at when you look at the charts. Basically, we are not going to get enough revenue to even meet our estimates. We will say for the record, that trying to estimate the revenue from our current operation has become quite an adventure. It is hard to come up with something that is really accurate, other than a look back of what once we complete a fiscal year when he obviously has the actual figure to look at.

- When you look at the three different scenarios for the sewer rents, if any of them come close to \$1,000,000 that's probably what you should be looking at. Basically up \$1 each succeeding schedule. \$8, \$9 and \$10 and \$10, \$11 and \$12. That's what we need to be looking at, at least \$1,000,000 per quarter.

Trustee Giblin asked if Step 3 will get us there?

- Mr. Johnson answered Step 3 will get us closer. Bob had put in an average number on the third page, the quarterly average, for the first one the quarterly average is \$781,000, and you can look at the next two to see what the quarterly average is. If we aren't looking at \$1,000,000 per quarter, we aren't going to be making anywhere near what our estimate is.
 - Trustee Giblin said, on analysis three he is looking at total with adjusted scale \$997,000. Mr. Johnson said yes, that is basically what we are looking at, around \$1,000,000 per quarter and that will get us in the range of our budget for this year and hopefully next year won't be any worse.
 - Mayor Deemie questioned, if we go with the graduated scale, the \$9, \$10 and \$11
 - Mr. Johnson answered it will generate almost \$1,000,000 per quarter which is better than what we are doing now. He looked at what we generated last year and that was \$650,000 per quarter. So far this year we have generated \$843,300 per quarter so we are still a little short of the million. It looks like the graduated schedule three would certainly get us closer than that.
 - Trustee Meaney said if it's getting us closer, but not there, we are still going to be running in arrears.
- Mr. Johnson stated using round numbers if it will generate \$1,000,000 per quarter that was what the budget was for this year and that's just rent. There is nothing that says we can't go another schedule. He was arbitrarily coming up with numbers to see where it gets us. It looks like each succeeding schedule generates \$100,000 more.
 - Trustee Giblin said analysis three makes sense to him. He thinks it goes a combination of everything that was looked into. The staggered rate adjustments with people using more. Everybody has to pay more.
- Mr. Johnson said he spends quite a lot of time on schedules since most of it is the sewer fund, he is in tune with that. He doesn't see the debt increasing in the sewer anyway, the EFC stuff much more next year. We are in the process of getting refinancing with EFC for one of the issues that was short term and came due. EFC and Fiscal Advisers and our bonding attorneys have been working together and they are coming up with new financing for us and the interest is fairly low he believes. They are closing this month, that is how current we are. He doesn't think it will increase much if anything with the new issue.
- We are effectively done with the JSTP project so we shouldn't be issuing any more debt. Anything that comes now will be refinancing any short terms issues we have out. Generally, when you convert a short term into a long term, interest rates go down, you go from fluctuating rates to a set rate.

- Trustee Meaney's concern is that we might be back again in six months to a year to adjust these rates because it is not enough. Do we want to make the top end \$12 or \$11.50 to give us a little.
- Trustee Giblin stated \$9.50, \$10.50, \$11.50. Trustee Giblin agreed with Marty saying we are still short of \$1,000,000 and why are we undercutting it?
- Attorney Sacco asked Mr. Johnson if he talked to bond counsel about the dollar amount or has bond counsel weighed in on the dollar amount? The Trustees points are very valid and the Comptroller requires that our dollar amounts have a reasonable basis.
 - Mr. Johnson replied no he has not. As far as the Comptroller is concerned, my estimation is number one, we need to be able to finance our operation. It means we have to raise our rates accordingly to meet our debt requirements.
 - Trustee Meaney acknowledged if we were to raise it another fifty cents it would roughly give us another \$50,000 per quarter and that would put us instead of operating negative, we would be on the right track. Maybe that would give us a little over \$1,000,000 per quarter.
 - Mr. Johnson said he can add the numbers into another step with this analysis and he could have the numbers fairly quickly thereafter. He doesn't disagree with that. It would be nice if we could generate enough in rents to cover our operation.
 - Trustee Meaney stated we are going to be lagging this year, so we are going to have to make up regardless.
 - Trustee Giblin said that is the logical and diligent thing to do. It is the smarter thing to get ahead of it and catch up with whatever we can. Getting ahead of it is the better idea.
 - Trustee Reynolds doesn't want to knowingly not make the budget.
 - Trustee Meaney asked when the last time was that we raised the sewer rents.
 - Mr. Johnson replied a couple years ago.
 - Trustee Walker said three years ago. What does this bring it to? Right now, we are at \$7.25? With this what am I raising the average consumers rate to from the number it is now?
 - Mr. Johnson responded we are generating \$843,000 per quarter now. He has three pages of data for consumers. Just depends on their usage.
 - Mayor Deemie stated we may raise it \$2.25. Once you are over 1,000.
 - Trustee Giblin stated we are at \$7.25 now. Depending on usage. 1,000-5,000 would be \$9, 5,000-10,000 would be \$10 and above 10,000 would be \$11.
 - Mayor Deemie stated right now the flat charge is \$55.
 - Mr. Johnson confirmed there are 5,017 consumers.
 - Trustee Reynolds said the way we are looking at it now is better than raising the minimum.
 - Trustee Meaney confirmed if we use \$9.50, \$10.50 and \$11.50 it is going to give us \$1,047,000 per quarter. It is not crazy over the top.

- Mr. Johnson said he thinks that is where we need to be at. He will know better once he plugs in next year's debt numbers. Since we are quickly approaching budget time, he will put that as a priority.
- Trustee Giblin asked if we should go high than that to get ahead of it? Or do we go with the mentality of increasing it a little bit each year making sure we don't take years off.
- Mr. Johnson said he is always in favor of that.
- Trustee Meaney agreed with Trustee Giblin, get it where it needs to be and at budget time make the necessary adjustments to stay a little bit ahead of it.

Trustee Reynolds asked how much of our debt load are we able to predict?

- Mr. Johnson responded he can basically predict most of it. The one thing he cannot predict is how much they can borrow on an annual basis, general fund, water. We won't be borrowing too much on water since we have the two tank projects completed.
 - The general fund depends on what equipment goes haywire.
 - The sewer debt is going to be known and that is the one he concentrates on and that is the one that is stressed right now.
 - The water fund seems to be holding its own right now even with the water tank additions to its expense ledger. They seem to be doing ok.
 - Refuse is plugging along and they don't have any debt. They seem they are able to handle a truck or two as needed on an annual basis. So, we are pretty good there.
 - The general fund is a little bit stressed but that is another story.
 - At least the sewer fund having the EFC debt and all that they all have long term amortization schedules, even the short term have long term amortization schedules and it is easy to predict that.

Trustee Giblin questioned if we need to pick a set dollar amount and stick to it before we start moving forward in the process.

Mayor Deemie said we need to set the public hearing.

Trustee Meaney proposed \$9.50, \$10.50 and \$11.50 because that seems to get us where Tom needs to be at the moment. If that can stay for a year, next year we can adjust accordingly.

Trustee Giblin agreed with Trustee Meaney. He would like to see it plugged in and see what the exact numbers are.

Trustee Reynolds asked what the minimum right now.

Mr. Johnson responded \$55.

Did we go from \$6.25 to \$7.25?

Mr. Johnson said yes.

Mayor Deemie stated Attorney Sacco will start up the wording for the public hearing and we will verify the numbers with her.

Attorney Sacco said she will draft a public hearing notice and a resolution with those rates.

Normally when we look at these things it is near budget time and we are getting close to that time again.

Trustee Walker asked on the analysis number three, you said \$9, and in reality, we are bumping that up fifty cents?

Mr. Johnson confirmed yes, \$9.50, \$10.50 and \$11.50 and leaving the base at \$55.

The Trustees thanked Mr. Johnson.

Ms. Kennerup stated the last time the sewer was increased was 2018.

Mayor Deemie updated the Board regarding:

- Joint Sewage Treatment Plant
 - They are having weekly closeout meetings. At the last meeting, the plant survived the storm well and operated as it should. All three digesters are up now and running full capacity and producing gas. All the systems are on line or should be online at this point and everything is working great. He will forward on the weekly reports to the Board and everything is working as advertised. It looks like it is a success so far. It is a massive system and there will be hiccups, but it looks like we are weathering that quite well and working through it.
- Safety Mandate
 - Mayor Deemie confirmed Trustee Meaney and Trustee Walker got his email on the safety plan. Attorney Cheryl had a good template for them to fill in the blanks. He figured he would see if they could put that together and get that out.
 - Attorney Sacco informed the Board that some municipalities are convening committees and having union representation on it to help fill in the blanks and having different people from different buildings being involved in this. The template is a really good one. Take a look at the template. Attorney Sacco said she has worked on it with another municipality if they need assistance. There are some timelines, so move that to the top.
 - Trustee Walker asked if any of the department heads have been working on this already.
 - Mayor Deemie responded just what they have been working on for the storm not specifically for this plan. They should be able to provide you the information to fill in the blanks.
 - Attorney Sacco stated an email from one or both of you picking a date and asking them to provide the information. Same as the personal protection devices gloves, masks and it is going to be specific. It will be different from Cindy's office and Josh's office.
 - Mayor Deemie stated Josh has already been putting the one plan in place. With the plan how are we going to provide all of this. A lot of the PPE and how they are set up, Fire and Police and DPW, we were getting that sent automatically from the County and a lot of it was being passed through. He is not sure if this is in regards to a lot of municipalities not being able to get it as easily as we can. We have to do it because he is mandating everybody to do it.

- Attorney Sacco said it is a good idea to have it because even though you are getting it, the question is where do you store it and how much do you need so if you are getting too much or too little. You wouldn't want to be storing Josh's stuff with Cindy because then you are cross-contaminating between buildings.
- Trustee Walker asked how do you come up with an amount for police and fire.
 - Attorney Sacco stated you need to talk to police and fire and come up with how many people per shift. With fire after you have an EMS call, every time they have interaction with someone, they will change it. It is very different for Cindy's department when they are standing behind a glass, they aren't going to have the same interaction as with the garbage department. We need the interaction from the department heads, you need some union interaction. That is why she is telling you to make it a priority. If there is an emergency, we have facilities where people could stay. If there is cross-contamination she can have one talking about hotels in the area. Look at this make it a top priority, send it out to the department heads, get the feedback. Police and fire may have concerns that there is not enough protective equipment per person.
 - Trustee Meaney said, as far as PPE for first responders, you could have thirty calls one day and the next three.
 - Trustee Walker said you plan for the forty calls. You plan for the big number and you have to maintain that number for the PPEs.
 - Attorney Sacco stated you do the best you can and when you have excess you share with those that are deficient and when you are deficient. Just like with the snow removal what Josh was talking about. There were roads that we had to do. Johnson City is always prepared so you wind up giving more than you get. That is why we need to prepare for this. She would recommend putting this at the top and if you need assistance, she sat in on a committee meeting with a person from a smaller municipality from each building and each department which happened to be the same thing. They were able to provide some numbers and some estimates, but they had only one union and no police department and no fire department. You will need bigger input from those because of the personal interaction with the public especially in pandemic and emergency situations. We are going know numbers of calls, frequency rates and how many people per shift.
 - Trustee Walker asked the Mayor if we have had input from the unions on what they need for PPE?
 - Mayor Deemie replied not necessarily from the unions. The departments were getting PPE from the County during the height of this whole thing. He is unsure where it is coming from now, but they are still acquiring it because they still need it. It's best to talk to Chief Dodge, Chief Jacyna, Josh. You might want to reach out to Mike Ponticello at the County because they are doing the same thing.
- Trustee Meaney asked who is essential and who is not essential?
 - Attorney Sacco said it's been that municipalities are all essential but it's a timing issue. We are in the middle of winter, so parks may not be essential, but the parks may be rerouted to highway. It is all factually specific.
- Trustee Meaney questioned why it has to be presented to the Unions.
 - Attorney Sacco responded because that is what is in the mandate. They get involvement in it so they have input.

EXECUTIVE SESSION #1

A motion to enter executive session at 6:28 pm for legal recess was made by Trustee Meaney and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

A motion to exit executive session at 7:04 pm was made by Trustee Giblin and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

Trustee Giblin said there was a vehicle that backed into a Village vehicle. Trustee Walker clarified it was a Village vehicle that backed into another Village vehicle.

Trustee Walker was having computer problems and stated his questions were the same as Trustee Meaney's so he did not submit any because Marty submitted them.

Trustee Meaney has a couple questions on the bills:

- The question asked about BMI. He doesn't think we shouldn't pay BMI. We didn't hold one event, so we should not pay them for the licensing fee.
 - Mayor Deemie said it is for this coming year.
 - Trustee Meaney said it is for 5/20/20 – 4/31/21 and he knows we are not going to have any functions in this fiscal year. He doesn't think we should pay it because we didn't use it.
 - Like the parking meters posts, why is it our responsibility to replace them if they were put in poorly or by someone who messed up the street? Shouldn't that fall back on the contractor who redid the street.
 - Mayor Deemie replied when they restriped it the spaces didn't line up.
 - When Baldwin Street was redone last year all the parking spaces were shifted and the meter poles no longer properly lined up with the spaces. That is not a Village problem it is a striping problem. They should of came back and rectified that. The problem would have been less labor intensive to fix the stripes than to remove and reinstall the posts.
 - Mayor Deemie said the question is were the spaces different when the posts were put in originally and are the spaces now a different size and shape due to new regulations and it didn't line up because of that? Because the original ones could have been in wrong too.

Trustee Walker said we recently replaced a couple larger vehicles in the Village. What is the status of the older vehicles? Like the fire truck and the packer we just brought. Were they taken out of service?

- Mayor Deemie will find out.
- Trustee Walker said he talked to the Chief a month ago and it was still in service.
- It doesn't mean we need to take it out of service. We bought a new one to take it out of service. It wasn't supposed to be used. It was at a point of no return. He will check with the chief on that.
- Trustee Giblin said the new packer is out there.

Mayor Deemie reviewed the Agenda and the Resolutions.

- Mayor's Announcements
- Board minutes from the last two meetings
- Committee and Board Reports
- Department Reports
- Bills and Payrolls presented
- This is the organizational meeting for the year. So, we have the Mayoral Appointments
- Resolution for Roberts Rules of Order
- Resolution for Village Treasurer to pay Village Taxes
- Resolution for banks
- Resolution for Press and Sun-Bulletin
- Resolution for meeting days
- Resolution for Workman's Comp
 - Trustee Giblin asked if there was a reason we do it in January. He said the actual renewal date is July. Should it be done at a different time?
 - Cindy said the Worker's Comp has always been done in January.
 - If we don't need to do it and our contract goes until June, do you guys want to hold this over? Or agree to table it?
 - Mayor Deemie suggested holding it over until the next meeting.
- Resolution for standard meeting dates

Trustee Meaney questioned why we don't have a resolution for the procurement policy on to approve.

- Mayor Deemie said usually we do. We will put it on the next meeting.
- Attorney Sacco suggested sending it out to the Board members and the department heads to see if anyone has any input or any changes on it.
- Ms. Kennerup stated it was not on last January.
- Resolution for the police department in regards to a vehicle they no longer need. They are going to auction off the vehicle.
 - Was that the vehicle they got from a crime committed in the Village.

Trustee Meaney asked how are we going to do the swearing ins.

Mayor Deemie responded we are going to do the pledge and the discussion we had regarding the moment of silence, then he will do the swearing in for Trustee Meaney and then Trustee Reynolds and you will raise your right hand and repeat after him. The he will read the Executive Order regarding holding virtual meetings. Until they are sworn in he can't start the meeting.

ADJOURNMENT

Mayor adjourned the meeting at 7:19 pm.

Cindy Kennerup
Village Clerk/Treasurer

CK/kc

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

- 1) In the sewer department why are the pallets of bricks under traffic control signs, \$1,176? **Description was wrong on the voucher, now fixed (hazard of cut and paste). The department is correct and the expense line item is correct.**
- 2) What happened to the engine block heaters in the refuse trucks? **Block heater receptacles where replaced and rewired.**
- 3) What were all of the repairs to the high lift building contributed to? Were they all accounted for in the current budget? **All of the repairs to the high lift building are attributed to old age of parts and electrical equipment resulting in failures to equipment. Also included would be the replacement of 2 doors. These were not anticipated items included in the current budget.**
- 4) Was the curb work at 23 Barton a result of the construction being done in Fairmount Park? **no the curb work at 23 Barton was from the water dept. removing a hydrant for repair and not a part of the Town of Union Fairmount project**
- 5) Why is the NYSEG bill 12/21/20 for the little league field \$1,537.01? This seems high for this time of year. **This bill is for a 4-month period. 8/15 through 12/15. It would be high if not for the period of time. In searching last year for a 2-month period it was \$795.**
- 6) The BMI estimated fee for 5/1/2020 to 4/31/21 is \$364. We have not had any live music events sponsored by the village due to the pandemic. Does this estimate account for this? Will we be sponsoring any live music events over the next 4 months? Do we need to pay this if we are not going to use it? **This license is for 12 months, not 4 months. The bill is on a scale and the Village pays the minimum annual fee. Estimate does not reflect any adjustment for non-usage. I don't expect we're going to be holding any events in the near future. This license covers the Village for any event that we may have with music annually. Events such as Carousel Days, Field Days, etc.**
- 7) What happened to the parking meter posts on Baldwin Street \$158? **I had to check with DPW on this because they ordered the new poles. That being said, the answer is that when Baldwin Street was redone last year, all of the parking spaces were shifted and the meter poles no longer properly lined up with the spaces. DPW installed the new poles in their proper places.**
- 8) On the C&G bill can we include the address along with the owner's names. This would make it easier to identify the reason for the expense. **I can include this type of information when I have it, but we specifically do not include specifics into bills. We get FOIL request for bills, so more detailed bills require redaction when we get FOIL requests. Also, sometimes, I don't have specific properties addresses or names.**
- 9) What happened to Car 4 in the DPW \$,1375.50? What is our deductible? **The vehicle was parked in the garage and one of the employee's backed into Car#4- dented the hood badly. The deductible is \$500.**
- 10) We purchased 7 chairs in the courts for \$2,390.36. Where these chairs a necessity at this time? Did all of the office chairs become unusable at the same time? We are in an uncertain time with both our current budget and the upcoming budget, and I believe every expense needs to be looked at as either a necessity or a luxury. I also believe at this time these types of

purchases need to come before the board with justification before they are made. **As a Village resident, I appreciate the Village Board being extra fiscally responsible during these hard times.**

As a Department Head I also appreciate the efforts of the Village Board and I am aware of the hard fiscal times being suffered in the Village.

What I don't appreciate is the innuendos, sarcasm and lecture about spending before a response is received by the Village Board.

The purchase of the chairs started in September of 2019 when I applied for a Grant through the Justice Court Assistance Program (JCAP). I requested permission from the Village Board to apply and I indicated what I wanted to purchase. This request was reviewed by the Board, approved and I applied for the grant with Board approval. I then received the funds for the seven (7) new chairs for the Court Clerks and the chairs were purchase wholly with Grant money and no cost to Village residents and it did not affect my annual court budget. It was delayed because of Covid, but the purchase was finally completed.

Did all of the office chairs become unusable at the same time, no. But the clerks sit in these chairs 6-7 hours a day and I felt their safety and comfort was a high priority. Plus, the chairs these replaced were the original office chairs bought for the office when the Court opened in 2001, so yes, I felt they were necessary.

The Court has always been fiscally responsible, carefully considering each and every purpose and thru efforts of the entire staff, we have reduced spending of the years without a single thank you, not that we expect one. No major purchase has ever been made by the Court without justification and usually through the JCAP grant.

The Village Court is about the only department in the Village that generates funds for the Village coffers on a regular monthly basis.

The invoice that was submitted to the Board for review of payment also displayed the budget line for the JCAP grant monies and would have answered these questions.

If there are any other questions I can answer, please feel free to contact me.

Hon. Gregory P. Thomas
Johnson City Village Justice

11) What is CUSIP Global for \$91? **CUSIP Global/S&P is a unique standardized, mandated number which we are required to have because of our borrowing and bonding.**

12) When will the PD be changing their blanket PO forms? **When they issue new blanket orders this FY and for June of 2021.**

I respectfully request that these questions and comments are attached to the minutes of the work session.

Thank you,
Trustee Meaney