



VILLAGE OF JOHNSON CITY

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

Village Board

Martin Meaney, Mayor

Trustee John Walker

Trustee Clark Giblin

Trustee Adam Brown

Trustee Mary Jacyna

AGENDA --REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, September 19, 2023 @ 7:30pm

Village Hall Boardroom, 60 Lester Avenue, Johnson City, NY

ORDER OF BUSINESS

1. *CALL TO ORDER*

2. *PLEDGE OF ALLEGIANCE*

3. *MAYOR'S ANNOUNCEMENTS*

[3.1] The next Village Planning Board Meeting will be Tuesday, September 26, 2023 at 7:30pm with a work session at 7:00pm.

[3.2] The next regular Village Board Meeting will be Tuesday, October 3, 2023 at 7:30pm with a work session at 6:00pm at the new Village Hall, 60 Lester Avenue, Johnson City.

4. *APPROVAL OF BOARD MINUTES*

[4.1] September 5, 2023 Village Board Meeting and Work Session Minutes

5. *BIDS* – None

6. *PUBLIC HEARINGS* – None

7. *PETITIONS RECEIVED* – None

8. *PRIVILEGE OF THE FLOOR – VISITORS*

9. *COMMUNICATIONS*

[9.1] Correspondence from Attorney Richard Lewis for JSK Lakes, 569 Harry L Drive, Johnson City.

[9.2] Correspondence from Anthony Morabito, owner of 55 St. Charles Street regarding water bill.

[9.3] Correspondence from Paul Cirba, owner of 5 Avon Street regarding water shut off fines.

[9.4] Correspondence from Matthew Gaska, 30 Greenridge St regarding code violation.

[9.5] Correspondence from Taimoor Khan, owner of 8-Bit Bites, 268 Main Street.

10. COMMITTEE/BOARD REPORTS

[10.1] Joint Sewage Treatment Board Reports dated August 31, 2023

11. DEPARTMENT REPORTS

- [11.1] Fire Department Overtime Report for the weeks of August 17 – August 30, 2023
- [11.2] Police Department Monthly Report July 2023
- [11.3] Fire Department Overtime Report for the weeks of August 31 – September 13, 2023
- [11.4] Police Department Overtime Report for the weeks of August 31 – September 13, 2023

12. PAYROLL AND BILLS PRESENTED

Abstract #5 of the 2023 - 2024 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$320,173.99
WATER FUND	\$14,483.41
SEWER FUND	\$379,222.45
REFUSE FUND	\$341,160.40
SESAME ST	\$0
VARPUR	\$2,706,080.67
JSTP	\$2,358.31
SPECIAL GRANT	\$165,730.00
DEBT SERVICE	\$288,730.98

13. UNFINISHED BUSINESS – None

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution 195 of 2023

Forgive garbage charges to Mohammed Majeed in the amount of \$500.00 for 219 Harrison Street and \$840.00 for 179 Harrison Street, Johnson City.

Resolution 196 of 2023

Waive water shut off fines in the amount of \$200 to Paul Cirba, owner of 5 Avon Street

Resolution 197 of 2023

Forgiveness of lawn mowing and removal bill in the amount of \$91.50 to Matthew Gaska, 30 Greenridge Street, Johnson City.

Resolution 198 of 2023

Approve a request from Taimoor Khan, owner of 8-Bit Bites, 268 Main Street to close the north end of Broad Street on Sunday, September 24, 2023 from 12:00pm to 6:00pm for a Grand Opening Celebration pending the approval of a street permit and approvals from the Johnson City Police and Fire Departments.

Resolution 199 of 2023

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 270, ARTICLE VIII ENTITLED ‘DISCONTINUATION OF SERVICE’” 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 October 17, 2023 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.

Resolution 200 of 2023

Authorize the Johnson City Rotary to use the Your Home Public Library parking lot between 9/23/2023 and 10/30/2023 from 9:00am to 6:00pm to host a pumpkin sale fundraiser.

PUBLIC SAFETY

FIRE – No new business

POLICE

Resolution 201 of 2023

Authorize the police department to accept the NYS Edward Byrne Memorial Justice Assistance Grant for \$115,000.00 to purchase a new emergency response vehicle.

PUBLIC WORKS

Resolution 202 of 2023

Appoint Anthony Smith to the position of Probationary Laborer in the Water Department at a salary of \$18.60 per hour effective September 21, 2023. The appointment is contingent upon the successful completion of a background investigation and the required pre-employment drug screening.

PLANNING, ZONING & CODE ENFORCEMENT

Resolution 203 of 2023

Whereas, by a memorandum dated September 14, 2023, the Village Fire Marshal and Village Code Enforcement Officer have requested that the Village Board of Trustees of the Village of Johnson City consider declaring the structure at 59 Allen Street, Johnson City, New York, unsafe and dangerous, which consideration requires a public hearing; and

NOW, THEREFORE, be it

RESOLVED, that the Village Board set a date and hold a Public Hearing to solicit public input on the issue concerning whether the structure at 59 Allen Street, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED, that notice of this Public Hearing shall be served by mail on the record owner of 59 Allen Street, Johnson City, New York and its legal counsel, if known; and be it further

RESOLVED, that the Village Clerk and Counsel are authorized to take such additional and further action as it 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 that a clear and imminent danger to life, safety and health exists for persons and property, and as such the building at 59 Allen Street, Johnson City, New York must be secured immediately, the Board hereby authorized the Code Enforcement Officer to immediately cause the securing of this building.

JOINT SEWAGE TREATMENT BOARD

Resolution 204 of 2023

Approve the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2023 Budget to increase ES8130.XXXXX HLine Prof. Svcs and Repair by \$250,000.00 and decrease ES8130.55000 Contingency by \$250,000.00 (backup attached).

15. ADJOURNMENT

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

Mayor Martin Meaney - jcmayor@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com Trustee Clark Giblin – cgiblin@villageofjc.com

Trustee Adam Brown – abrown@villageofjc.com Trustee Mary Jacyna – mjacyna@villageofjc.com

Proposed Revenue and Expense accounts for 2023 Budget Amendment for Hline Repair

<u>Decrease</u>	<u>Increase</u>	<u>Ledger Account</u>	<u>Account Title</u>
	\$250,000.00	ES8130.XXXXX	HLine Prof. Svcs and Repair
\$ 250,000.00		ES8130.55000	Contigency
\$ 250,000.00	\$ 250,000.00		

9/12/2023

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. _ FOR THE YEAR 2023**

**A LOCAL LAW AMENDING CHAPTER 270, ARTICLE VIII
ENTITLED “DISCONTINUATION OF SERVICE”**

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

Section 1. Chapter 270, Article VIII of the Village Code entitled “Discontinuance of Service” shall hereby be amended as follows:

§ 270-90. Remains the same.

§ 270-91. Remains the same.

§ 270-92. Notice.

A. Nonemergency situations. In the event the shutoff for nonpayment or violation of these rules and regulations not constituting an emergency, written notice shall be sent, prior to shutoff, by certified mail to the owners of the premises as shown by the latest assessment rolls of the Village of Johnson City. Notice shall also be conspicuously posted on the front door of the building. Each notice shall be postmarked and posted not less than 15 calendar days prior to shutoff. The notice shall include the anticipated date the water will be shutoff, and it shall notify the property owners and tenants of their right to request a hearing. The Village may in its sole discretion provide additional notice, but failure to do so does not preclude shutoff. It is understood and agreed, however, the Village is not liable for any damage which may result to any person or premises from the shutting off of the water from any main or service for any purpose whatsoever, even in cases where no notice is given.

B. Remains the same.

§ 270-93. **Right to hearing.**

Upon receiving a shutoff notice either through the mail or posted on the front door of the building, a property owner or tenant of the premises may request a hearing in writing to the Village Clerk-Treasurer within the periods indicated herein.

- A. Nonemergency situation: not less than five calendar days prior to the shutoff date listed on the notice. In the event the fifth calendar day shall land on a date in which the Village Clerk-Treasurer’s office is closed to the public, the request must be received on the next calendar day which the Village Clerk-Treasurer’s office is open in order to be timely.
- B. Emergency situation: within 10 calendar days of the notice’s posting on the front door of the building. In the event the tenth calendar day shall land on a date in which the Village Clerk-Treasurer’s office is closed to the public, the request must be received on the next calendar day which the Village Clerk-Treasurer’s office is open in order to be timely.

§270-94. Hearing.

The Village Mayor shall designate a hearing officer who will conduct the hearing and make a decision, in writing, as to whether the shutoff at the premises shall go forward or continue, as the case may be. The hearing shall be scheduled by the hearing officer within 30 calendar days of the date the Village receives the hearing request. Written notice of the hearing date shall be provided to the party requesting the hearing, and shall also be provided to the property owner, if different. The hearing officer shall not be bound by the technical rules of evidence. The parties shall have the right to submit relevant evidence, which shall be afforded the appropriate weight by the hearing officer. The hearing officer shall have discretion to make decisions on a case-by-case basis. The hearing officer shall issue a written decision that must be sent regular class mail within 15 calendar days from the date of the hearing to the property owner and tenants who appeared at the hearing. In a nonemergency situation, in the event that the decision is to move forward with the water shutoff, the decision shall provide a date when the Department will shut off the water at the property, and a new shutoff date will be posted at the property.

§ 270-95. Compliance with rules required before service restoration.

Remains unchanged.

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. Severability

The provisions of this Local Law are severable 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.