



VILLAGE OF JOHNSON CITY

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

Village Board

Gregory Deemie, Mayor
Luke Slota, Deputy Mayor

Richard Balles, Trustee Deborah Fuller, Trustee Martin Meaney, Trustee

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, February 16, 2016 in the Municipal Building, 243 Main St., Johnson City

Present: Gregory Deemie, Mayor
Richard Balles, Trustee
Deborah Fuller, Trustee
Martin Meaney, Trustee

Absent: Luke Slota, Deputy Mayor

Also Present: Cindy Kennerup, Village Clerk/Treasurer
Jeff Jacobs, Attorney for the Village

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits.

MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, March 1, 2016 at 7:30pm with a work session at 5:30pm
- [2] Cub Scout Pack 100 will be holding a french toast breakfast on February 28th at All Saints Episcopal Church on Main Street, JC.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the February 2, 2016 regular meeting and work session was made by Trustee Balles and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

BIDS - None

PUBLIC HEARINGS - None

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Julie Deemie, Zoa Ave. – Stated that the JC Partners have elected Donna Converse as their new president for this year.

William Armstrong, Sturdevant St. – Expressed his concern over the fact that there are pedophiles living at 66 Sergeant St. and it is being rented out room by room. Mayor Deemie stated that he spoke to Code last week and they were trying to gain access to the building. Mr. Armstrong stated that there are more than 3 living there and there is traffic in and out of the house all night.

Mayor Deemie closed the first privilege of the floor.



VILLAGE OF JOHNSON CITY

COMMUNICATIONS

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

- [1] Time Warner Programming Notice dated 2/3/16
- [2] 239 Review from the Town of Union for modifications to the Zoning Code.
- [3] Certificate of the Binghamton-Johnson City Joint Sewage Board

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/Board Reports was made by Trustee Balles and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

- [1] Minutes of the February 3, 2016 regular meeting of the Town of Union Board
- [2] Minutes of the January 28, 2016 meeting of the Br. Co. Assoc. of Towns & Villages
- [3] Minutes of the January 11, 2016 regular meeting of the JC Zoning Board of Appeals
- [4] Minutes of the January 12, 2016 regular meeting of the Joint Sewage Board
- [5] Minutes of the December 29, 2015 regular meeting of the Joint Sewage Board
- [6] Minutes of the December 8, 2015 regular meeting of the Joint Sewage Board
- [7] Minutes of the November 10, 2015 regular meeting of the Joint Sewage Board
- [8] Minutes of the November 24, 2015 regular meeting of the Joint Sewage Board
- [9] Minutes of the October 13, 2015 regular meeting of the Joint Sewage Board
- [10] Minutes of the September 29, 2015 regular meeting of the Joint Sewage Board

DEPARTMENT REPORTS

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

- [1] Public Works Monthly Report – January 2016
- [2] Police Department Overtime Report
- [3] Fire Department Overtime Report
- [4] Code Enforcement Monthly Report – January 2016

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #15 of the 2015 - 2016 fiscal bills, having been audited by the Board and approved, was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

GENERAL FUND	\$556,228.59
WATER FUND	\$20,266.05
SEWER FUND	\$15,334.87
REFUSE FUND	\$18,971.59
JSTP	\$25,429.53
VARPUR	\$1,812,492.02



VILLAGE OF JOHNSON CITY

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2016 - 33

A motion to authorize the Mayor to sign a renewal agreement with Broome County for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program for January 1, 2016 - December 31, 2016 was made by Trustee Balles and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

Resolution #2016 - 34

A motion to approve Change Order #1 from LCP Group, Inc. in the amount of \$1,500.00 to account for the removal of a garage that was not included in the original bid as part of the demolition of 72 North Hudson Street under the Hazard Mitigation Grant Program was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

Resolution #2016 - 35

A motion to appoint the following individuals to the Shared Services Code Committee: Village Trustee Richard Balles (Chairman), Village Trustee Martin Meaney, Town of Union Councilman Frank Bertoni, Village Zoning Board Member Vernon Rowlands and Village Planning Board Member Andrew Holbert was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

PUBLIC SAFETY

FIRE (Trustees Slota & Balles) – No new business

POLICE (Trustees Slota & Balles)

Resolution #2016 - 36

A motion to approve a request for Detective David Williams to attend the Basic Police Photography Course from April 18 – April 22, 2016 at the Elmira Public Safety Training Center in Elmira, NY a cost of \$200.00 from budget line A3120.4.930 was made by Trustee Balles and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)



VILLAGE OF JOHNSON CITY

Resolution #2016 - 37

A motion to approve a request for Detective Brian Morse and Detective Brian Berdine to attend the NYS Forensic Interviewing Best Practice Training Course from January 27 – 29, 2016 at Fordham University at a cost of \$240.00 from budget line A3120.4.930 was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

Resolution #2016 - 38

A motion to approve a request for Captain George Hayes and Lt. David Hozempa to attend the Forensic Science Training Course from February 29 – March 1, 2016 at the Orange County Emergency Services Center in Goshen, NY at a cost of \$332.00 from budget line A3120.4.930 was made by Trustee Balles and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

PUBLIC WORKS (Trustees Slota & Balles)

Resolution #2016 - 39

A motion to appoint Amanda Legenhausen to the position of Water Meter Reader & Repair Person from Broome County Certified List #63-650 effective February 18, 2016 was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

Resolution #2016 - 40

A motion to authorize the advertisement for the Water Plant Resiliency Improvement Project, which will be reimbursed by the Governor's Office of Storm Recovery, (GOSR) was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

Resolution #2016 - 41

A motion to authorize the advertisement for the request for proposals for the Wren Street Tank Rehabilitation and Asset Management Program was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

Resolution #2016 - 42

A motion to declare as surplus and dispose of as scrap metal at no cost to the Village an inoperable Hobart Welder and two (2) Waukesha natural gas powered back up well engines which are no longer operational and have been replaced was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)



VILLAGE OF JOHNSON CITY

RECREATION (Trustees Slota & Balles) – No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Balles & Fuller) – No new business

JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)

Resolution #2016 - 43

A motion to approve a resolution amending resolution #2016-16 in relation to modifying the 2015 Binghamton-Johnson City Joint Sewage Treatment Facilities Budget to account for recovery reimbursements received which are to be paid over to the JSTF's Owners was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*) **Nays** – 0 **Absent** – 1 (*Slota*)

WHEREAS, the Village of Johnson City (the "Village") is a joint owner of the Binghamton-Johnson City Joint Sewage Treatment Facilities (the "JSTF") with the City of Binghamton (the "City"); and

WHEREAS, the Board of Trustees of the Village and the Council of the City of Binghamton approve the annual budget of the Binghamton-Johnson City Joint Sewage Board ("JSB"); and

WHEREAS, Intermunicipal Agreement X sets forth the procedure for the JSB to request approval of budget transfers and modifications during the year or within 30 days thereafter so long as any transfers do not increase the JSTF's total budgeted expenses for the year; and

WHEREAS, the JSB has received litigation recoveries and reimbursements for flood recovery expenses incurred by the Village and the City which require corresponding reimbursement to the Village and the City; and

WHEREAS, the JSTF's operating budget does not have a dedicated budget line for revenue received in compensation for loss when such revenue is neither insurance proceeds nor flood damage reimbursements; and

WHEREAS, the JSTF's operating budget does not have a dedicated budget line from which to pay-out reimbursements of such revenues to the Village and the City; and

WHEREAS, resolution of four FEMA Project Worksheets compensating for June 2006 flood damage require that \$140,884.34 received by the JSB in a prior year be reimbursed to the Village and the City in their respective shares; and

WHEREAS, one of the litigation recoveries is subject to payment of a \$15,000.00 public adjuster's fee to the Sewage Board's public adjuster; and

WHEREAS, in consultation with the JSB's Fiscal Officer (City of Binghamton Comptroller), the JSB has proposed revenue neutral transfers and modifications to the JSTF's 2015 budgets to account for the receipt by the Sewage Board and reimbursement to the Village and the City of the litigation recoveries and flood recovery reimbursements received; and



VILLAGE OF JOHNSON CITY

Section 5. *That this resolution shall take effect immediately, except as otherwise provided above.*

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Corinna Johnson, Cook St. – Asked what the issue was at 66 Sergeant St. She received a notification that there were 3 sex offenders living at that property. What is the Code violation? Mayor Deemie explained that it is a single family house that they are apparently using as a boarding or rooming house.

Don Slota, Eldridge Ave. – Expressed his concern over the condition of the house on Floral Avenue where the fatal fire was that is now for sale. Mayor Deemie stated that he did speak to Code but it is a private property and there may not be much the Village can do. They did clean up the memorial items that had been left in front of the property. Attorney Jacobs stated that he has spoken to Code and they are looking into if there is anything that can be done under the Village's unsafe building and structures local law. Code was going to talk to them about the siding that is hanging off of the building. Mr. Slota also expressed concern over the building behind the Village Diner that Code had stopped work at. He stated that there is work going on there in the evenings.

Carol Laskoski, Edward St. – Attended Senator Akshar's recent community meeting where the topic of blighted properties came up and asked about blighted properties and having to remain green space. Mayor Deemie and Attorney Jacobs explained that property that needs to remain green space following a building demolition is for properties purchased using FEMA funds, such as the flood buyouts.

Bruce King, First St. – Asked about Res. #39 – Asked what this was for – is it a change in job? Mayor Deemie stated that no it isn't, she was in the position provisionally and had to take the civil service test since it became a civil service position. Mr. King asked if she previously held a civil service position in the department. Mayor Deemie stated he was not sure, she was hired as a water operator. Mr. King asked if her salary remained the same. Mayor Deemie stated that under the collective bargaining agreement her salary actually goes down a few cents. Mr. King asked about the abstract – under variable purpose, 1.8 million. What did we pay? Clerk/Treasurer Kennerup stated that it is a bond and a JSTP and part of the reimbursement is coming out of water, sewer and general into variable purpose. Mr. King spoke of his concerns over 66 Sergeant Street and stated that the Village needs to do something. Mayor Deemie stated that Code Enforcement cannot enter a building without the owner letting them in. Mr. King stated that they are doing construction work without a permit and can be shut down.

Police Chief Brent Dodge - Stated that the Police are the ones who brought the situation at 66 Sergeant St. to Code's attention. He has not heard that there are more than 3 sex offenders living there but he will send a detective over tomorrow to check on the 3 that are living there and see if there are any others. Mr. King asked that if the Police notice any violations when they are in the building, can they call Code Enforcement in at that point. Chief Dodge and the Mayor stated that is correct.

Ron Bailey, Sturdevant St. – Asked who enforces the fact that 66 Sergeant St. is very close to BOCES where there are high school students and the Baker Street Park. Chief Dodge explained



VILLAGE OF JOHNSON CITY

that under the sex offender registry laws, there is no requirement that keeps sex offenders away from parks or even moving in with someone who has children. The only way they are restricted is if the sentencing judge makes that a part of their probation or parole.

Corinna Johnson, Cook St. – Asked if there is a restriction placed on the offender, once the offender finishes probation or parole, that restriction is lifted? Chief Dodge stated that is correct, they could then live anywhere they wanted to but they would remain on the registry as registered sex offenders.

Ron Bailey, Strudevant St. – Stated that he agrees with Mr. King that the Village needs to do something now about 66 Sergeant St.

William Armstrong, Sturdevant St. – Asked the difference between parole and probation. Chief Dodge explained the difference.

Corinna Johnson, Cook St. – Thinks that if a group of sex offenders is living in one place they would be easier to supervise and asked if this increases the likelihood of additional offenses. Chief Dodge stated that yes that is a possibility.

Mayor Deemie reminded the audience that Chief Dodge will be available to meet with residents for his “Chat with the Chief” Program prior to the March 1, 2016 Village Board meeting at 6:45pm in the Board room.

County Legislator Ron Heebner – Spoke about resolutions regarding training classes and his belief that the training for officers, firefighters, etc. is necessary and the community should support that. He also spoke about how valuable the community is as the “eyes and ears”. He supports neighborhood watch programs and the Citizen’s Police Academy.

Trustee Richard Balles – Asked Chief Dodge, regarding the levels of sex offenders, which level is the highest. Chief Dodge stated that level 3 is the highest with the most likely risk of reoccurrence.

Mayor Deemie explained that the Village had its own sex offender law, but we were advised that we cannot enforce it and we must enforce the state law which is more forgiving than the Village’s law was.

Corinna Johnson, Cook St. – Asked about school bus stops and sex offenders as there is a bus stop on Helen Street near where sex offenders are. Chief Dodge stated that it is the same as being near a park. (Unidentified voice) stated that the school district moved that bus stop.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor Deemie adjourned the meeting at 8:02pm.

Cindy Kennerup
Clerk/Treasurer

CK/db