



# VILLAGE OF JOHNSON CITY

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

## Village Board

Gregory Deemie, Mayor

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

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### Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, May 3, 2016 in the Municipal Building, 243 Main St., Johnson City

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

Absent:            None

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

Mayor Deemie called the meeting to order at 7:35pm, led the Pledge of Allegiance and noted the fire exits. Mayor Deemie then asked for a moment of silence for former Senator Thomas Libous who passed away this evening.

#### MAYOR'S ANNOUNCEMENTS

- [1]    The next regular Village Board Meeting will be Tuesday, May 17, 2016 at 7:30pm with a work session at 5:30pm
- [2]    The David W. Smith, Jr. Memorial Bridge dedication ceremony will be held on May 5<sup>th</sup> at 10:00am

#### APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the March 28, 2016, April 7, 2016, April 12, 2016 and April 18, 2016 budget meetings and the April 19, 2016 regular meeting and work session was made by Trustee Meaney and seconded by Trustee Fuller. The motion carried with all those present voting in the affirmative.

#### BIDS

Bids were opened and read at 10:00am on Tuesday, April 26, 2016 at Village Hall for the reconstruction of New York Avenue between Brewster Street and Clarendon Street.

<u>Contractor</u>	<u>Bid Amount</u>
Chicago Construction	\$463,000.00
G. DeVincentis	\$466,900.00
DeNinis Construction	\$593,438.00
Albert Torto	\$606,414.00

PUBLIC HEARINGS - None

PETITIONS RECEIVED - None



**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the first privilege of the floor.

*Bruce King, First Street* – Asked where Chicago Construction is from. Mayor Deemie stated that he believes they are a local company. Asked about the PILOT for the Century Sunrise project. Mayor Deemie explained that during the first 2 years of construction they will be paying \$17,398.76 which is what is being paid now for the building. This is the total for Village, school district and the Town & County. Starting on year 1 of the actual PILOT the amount will be \$21,000 with a 3% escalation every year. The PILOT will increase as the actual rents increase. It’s a 30 year agreement with a total of approximately \$999,000.00.

*Carol Laskoski, Edward Street* – Stated that she saw DeVincentis working on curbs and sidewalks in the Village and asked when a new company comes in to do that. Mayor Deemie stated that he is not sure when their contract up. Ms. Laskoski stated that 2-3 years ago she paid to have her driveway widened and DeVincentis patched some spots with blacktop and then parked a heavy truck on top of the soft blacktop with a sign saying no parking. It left a big dent that fills with water. Mike Sherba knows about it and keeps saying they will take care of it but nothing has been done yet.

Mayor Deemie closed the first privilege of the floor.

**COMMUNICATIONS**

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

- [1] Notice of the May 10, 2016 meeting of the 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 April 20, 2016 regular meeting of the Town of Union Board
- [2] Minutes of the March 22, 2016 regular meeting of the Village of Endicott Board
- [3] Minutes of April 12, 2016 regular meeting of the Village of Endicott Board

**DEPARTMENT REPORTS** - None

**PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #20 of the 2015 - 2016 fiscal bills, having been audited by the Board and approved, was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

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

GENERAL FUND	\$877,738.52
WATER FUND	\$57,003.65
SEWER FUND	\$5,568.86
REFUSE FUND	\$39,191.47
JSTP	\$403,625.76
VARPUR	\$403,625.76

**UNFINISHED BUSINESS** - None



**NEW BUSINESS**

**FINANCE & RULES (All Board Members)**

**Resolution #2016 – 83**

A motion to approve the following resolution was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

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

*WHEREAS, Century Sunrise Redevelopment, LLC (“Century Sunrise”) has submitted a plan for the adaptive reuse of the former factory building and warehouse located at 135-139 Baldwin Street into 104 residential units and 7,745 square feet of commercial space; and*

*WHEREAS, the Broome County Industrial Development Agency (“The Agency”) has received an application from Century Sunrise for financial assistance, including a deviated PILOT; and*

*WHEREAS, the Agency will hold a public hearing on the Century Sunrise Application May 16, 2016 at 5:30pm at Village Hall; and*

*WHEREAS, the Agency requires the approval of the Chief Elected Official of the municipality where the project is located as part of The Agency approval process; and*

*WHEREAS, the Century Sunrise PILOT is estimated to generate \$999,083.73 in revenue for the taxing jurisdictions (Village, JCCSD, Town and County) over the thirty (30) year PILOT in addition to meaningful water, sewer and refuse charges for the Village; and*

*NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby directs and authorizes the Mayor to execute and deliver Village consent to The Agency to permit the Agency to fully consider the Century Sunrise application.*

**Resolution #2016 - 84**

A motion to authorize a parade permit to be issued to the VFW Alfred & Henry Michalovic Post 2332 and the Frank A. Johnson American Legion Post 758 to hold a Memorial Day Parade on May 30, 2016 starting at 10:00am at Ozalid Road to Main Street traveling west to the Gazebo for a formal ceremony subject to providing the appropriate liability insurance and coordination with the Village Police Dept. and the Department of Public Works was made by Trustee Fuller and seconded by Trustee Balles.

Motion Carried - Vote:

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

**Resolution #2016 - 85**

A motion to acknowledge and accept Mohammad Bashir’s Application/Petition to Rezone 144 Grand Avenue (TM #143.73-4-41) located in the Village from Urban Multi-Family (UMF) to General Commercial (GC) pursuant to Section 300 Article 52 of the Village Code; Making a preliminary determination under the New York State Environmental Quality Review Act that the action is an Unlisted Action; Declaring and establishing a Public Hearing for the rezone of the above referenced parcels from Urban Multi-Family (UMF) to General Commercial (GC) on May 17, 2016 at 7:35 pm and directing the Clerk to provide proper notice of the same in accordance with Village Code and State Law; and directing the Village Planning Board to provide an advisory opinion in accordance with Section 300-62.4 of the Village Code was made by Trustee Meaney and seconded by Trustee Balles.



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Motion Carried - Vote:

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

*Amendment to Resolution #2016-85*

*A motion to amend resolution #2016-85 to change the date of the public hearing to June 21, 2016 was made by Trustee Balles and seconded by Trustee Meaney.*

Motion Carried - Vote:

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

### **Resolution #2016 - 86**

Authorize the Mayor to sign the Personal Services Agreement between the Village and the Director of Public Services for contract years June 1, 2016 through May 31, 2021, as reviewed during executive session, in a form acceptable to counsel for the Village.

*This resolution was held over by Trustee Meaney.*

### **PUBLIC SAFETY**

**FIRE (Trustee Balles)** – No new business

**POLICE (Trustee Balles)**

### **Resolution #2016 – 87**

A motion to appoint Gwen Terpak to the position of Senior Clerk, on a provisional basis, effective May 26, 2016 at a starting salary of \$20,793.42 contingent upon the successful completion of a background check was made by Trustee Balles and seconded by Trustee Fuller.

Motion Carried - Vote:

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

### **PUBLIC WORKS (Trustee Balles)**

### **Resolution #2016 - 88**

A motion to award the bid for the reconstruction of New York Avenue between Brewster Street and Clarendon Street in the amount of \$463,000.00 to Chicago Construction as the lowest responsive bid with the project being paid for with CHIPs Funds (Consolidated local street and Highway Improvement Program), Sanitary Sewer Funds and Water Funds was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

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

### **Resolution #2016 - 89**

A motion to authorize the advertisement for bids for the Reynolds Road/Anna Maria Drive Drainage Improvements Project, a Community Development Block Grant Disaster Recovery Project, funded through the Governor's Office of Storm Recovery was made by Trustee Balles and seconded by Trustee Fuller.

Motion Carried - Vote:

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

**RECREATION (Trustees Balles)** – No new business

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## VILLAGE OF JOHNSON CITY

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

JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)

**Resolution #2016 - 90**

A motion to direct and authorize the Mayor to sign a Second Modification Consent Order, as attached hereto, in connection with the Binghamton-Johnson City Joint Sewage Treatment Plant Case No. R7-20110628-59 to modify the terms of the 2012 Consent Order and 2014 First Modification Consent Order to modify certain required due dates as a result of modification of the facility design after the 2014 First Modification Consent Order, to resolve certain violations and update the Schedule of Compliance and other terms of the prior Consent Orders was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 4 (*Meaney, Fuller, Balles, Deemie*)

Nays – 0

Absent – 0

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

*Carol Laskoski, Edward Street* – Stated that she paid in excess in \$1,000 for DeVincentis to do the work at her home. Mayor Deemie stated that he will look into it for her.

*Bruce King, First Street* – Asked about Res. #2016-90 (JSTP second consent order) – has the end date changed? Mayor Deemie stated no, it was milestone dates. Attorney Jacobs reviewed parts of the consent order. Mayor Deemie stated that there was a meeting with the DEC and if things don't get moving along there will be fines.

*John Walker, Lincoln Avenue* – Asked if there are any updates on the lawsuits with the wall failure at the JSTP. Mayor Deemie stated that certain parts are moving forward. There was a settlement on one part of it. Attorney Jacobs explained that the Federal litigation was resolved and there was a board resolution recently that had to do with the bond. The State Court action is moving forward and the attorney handling that will be providing the Village, the JSTP and the City of Binghamton an update.

Mayor Deemie opened the second privilege of the floor.

ADJOURNMENT

Mayor Deemie adjourned the meeting at 7:56pm.

Cindy Kennerup  
Clerk/Treasurer

CK/db