



VILLAGE OF JOHNSON CITY

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

Village Board

Gregory Deemie, Mayor

Richard Balles, Trustee
Martin Meaney, Trustee

Deborah Fuller, Trustee
John Walker, Trustee

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, September 6, 2016 in the Municipal Building, 243 Main St., Johnson City

Present: Gregory Deemie, Mayor
Richard Balles, Trustee
John Walker, Trustee
Martin Meaney, Trustee

Absent: Deborah Fuller, Trustee

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

MAYOR'S ANNOUNCEMENTS

- [1] Recognition of employee anniversaries
- [2] The next regular Village Board Meeting will be Tuesday, September 20, 2016 at 7:30pm with a work session at 5:30pm
- [3] Mayor Deemie spoke about an issue discussed at the last meeting between Mrs. Deemie and Trustee Balles regarding an appointment to the Planning Board. Mayor Deemie stated that the Planning Board appointment was not discussed during an executive session.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the August 16, 2016 regular meeting and work session was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

BIDS - None

PUBLIC HEARINGS

- [1] Local Law #2016-4 amending Chapter 300 of the Village Code entitled "Zoning" as follows: §300-52.8 (Nonconforming signs) to add A.(3) Replacement of an existing sign face or faces for a new business or advertiser or change in existing business or advertiser logo without altering the sign structure is permitted and will not result in a loss of nonconforming status; §300-52.8 (Nonconforming signs) delete B.(3) and replace it with (3) The sign structure is replaced; Adopt a new section: §300-60.6.1. (Code Compliance Required).

Mayor Deemie opened the public hearing.

Carol Laskoski, Edward St. – Asked what prompted the change to the Code. Attorney Jacobs explained the changes. Mayor Deemie explained the process that businesses had to go through for signage and how this makes it easier in some circumstances.

Mayor Deemie closed the public hearing.



PETITIONS RECEIVED

- [1] Petition received from the residents and businesses on Broad Street requesting that 34 and 41 Broad Street be locked down.

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Bruce King, First Street – Asked what is happening with the Main Street reconstruction. Mayor Deemie explained that Main Street was supposed to be done this year but it has been pushed to next year. It is a mill and pave project. Mr. King stated that there are some sidewalks being done. Mayor Deemie stated he would talk to Mr. Bennett.

Carol Laskoski, Edward Street – Asked about the 11 year old boy who was shot on North Broad Street. She thought it was on Broad Street. Mayor Deemie clarified when North Broad becomes Broad Street. She asked if the 3 kids involved lived on Broad Street. Chief Dodge stated yes.

Don Slota, Eldridge Avenue – Asked if the people involved in the incident on North Broad Street the same as the ones where the lock down is being requested. Mayor Deemie stated that no they are not. The lock down is for properties on Broad Street.

Trustee Meaney further clarified where North Broad Street becomes Broad Street and stated that the Business District sign is back up on Floral Avenue,

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 Walker. The motion carried with all those present voting in the affirmative.

- [1] Notice of the September 13, 2016 regular meeting of the Joint Sewage Board.
[2] Notice of Liquor License for Hookah Heaven, LLC at 265 Main Street

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 May 24, 2016 regular meeting of the JC Planning Board
[2] Minutes of the June 28, 2016 regular meeting of the JC Planning Board
[3] Minutes of the July 26, 2016 regular meeting of the JC Planning Board
[4] Minutes of the August 10, 2016 regular meeting of the Town of Union Board

DEPARTMENT REPORTS

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

- [1] Treasurer's Dept. - Annual Update Document for 05/31/2016 has been filed with the NYS Comptrollers' Office on 08/31/2016



VILLAGE OF JOHNSON CITY

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #5 of the 2016 - 2017 fiscal bills, having been audited by the Board and approved, was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

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

GENERAL FUND	\$562,140.92
WATER FUND	\$246,031.90
SEWER FUND	\$5,533.96
REFUSE FUND	\$37,349.57
JSTP	\$0
VARPUR	\$0

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2016 - 148

A motion to authorize that Key Bank be added to the list of Bank Depositories for the year 2016 was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

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

Resolution #2016 - 149

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

Motion Carried - Vote:

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

WHEREAS, the Village of Johnson City scheduled a public hearing for September 6, 2016 at 7:35 p.m. for Local Law No. 4 of the year 2016 entitled "A LOCAL LAW AMENDING THE VILLAGE CODE ENTITLED 'ZONING'"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk's signboard; and

WHEREAS, said public hearing was duly held at the Village Hall, 243 Main Street, Johnson City, New York on the 6th day of September, 2016 at 7:35 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Law constitutes an Unlisted Action, as defined under said regulations. The Village Board has considered the possible environmental impacts of the Local Law. The adoption of said



VILLAGE OF JOHNSON CITY

Local Law will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the Local Law; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said local law as Local Law No. 4-2016 entitled "A LOCAL LAW AMENDING THE VILLAGE CODE ENTITLED 'ZONING'", a copy of which is attached hereto and made a part hereof; and

RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

RESOLVED that that this resolution will take effect immediately.

Resolution #2016 - 150

A motion to introduce Local Law #5-2016, amending sections of Chapter 264 of the Village Code entitled "Vehicles and Traffic" as follows: §264-89A. (Schedule XIV: No Standing) to add Myrtle Avenue-east side, 30 feet to North Street, and to delete High Street-east side, 14.7 feet to North Street; §264-89B. to add High Street-east side, entire length from North Street to Harry L. Drive, to add Nelson Road-east and west sides, from the property line between House Nos. 621 and 623 to the dead end, and to delete High Street-east side, from House Nos. 14 to 42; to schedule a public hearing on said local law on September 20, 2016 at 7:35 p.m. and to authorize publication of notice of said public hearing was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

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

Resolution #2016 - 151

A motion to schedule a public hearing on September 20, 2016 at 7:35 p.m. to entertain public comment on the Johnson City iDistrict Revitalization Initiative which is seeking funding under the Round 4, Restore NY Communities Initiative, Municipal Grant Program - through Empire State Development Corporation (ESDC) for the demolition of 38 St. Charles Street and 219 Main Street and to authorize publication of notice of said public hearing was made by Trustee Meaney and seconded Trustee Walker.

Motion Carried - Vote:

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

Resolution #2016 – 152

A motion to authorize the advertisement for bids for the rehabilitation of the Pagoda/Pump House Building located in CFJ Park with funding provided through a State and Municipal Facilities Grant from the office of Donna Lupardo was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried - Vote:

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



VILLAGE OF JOHNSON CITY

Resolution #2016 - 153

Authorize the Mayor to sign the Collective Bargaining Agreement between the Village and the Administrative Support Unit for contract years June 1, 2016 through May 31, 2021, as reviewed during executive session.

This resolution was held over by Trustee Walker.

Resolution #2016 – 154

Authorize the Mayor to sign the Collective Bargaining Agreement between the Village and the Court Personnel for contract years June 1, 2016 through May 31, 2019, as reviewed during executive session.

This resolution was held over by Trustee Walker.

Resolution #2016 - 155

A motion to approve a request from William Giblin, Owner of Giblin's, 256 Main St., to close Wilbrow Alley on October 1, 2016 from 4:00pm – 10:00pm to hold a memorial scholarship benefit for Adam Nesbitt contingent upon supplying the Village with proper insurance coverage and naming the Village as additional insured for this event was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried - Vote:

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

Resolution #2016 - 156

A motion to authorize the Johnson City Business & Professional Women to hold the 32nd Annual Holiday Parade on Thursday, December 1, 2016 at 7:00pm starting at the corner of Main Street and Lester Avenue and ending at the Johnson City Senior Center on Brocton Street, contingent upon proof of insurance being provided listing the Village of Johnson City as the certificate holder was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried - Vote:

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

PUBLIC SAFETY

FIRE (Trustees Balles & Walker)

Resolution #2016 - 157

A motion to approve a travel request for Sean Meaney, Joshua Jacyna, Phillip Weston, Vincent Trayling and Alex Mihok to attend the Fire Fighter Recruit Training Program from August 29 – December 1, 2016 at the Bureau of Fire Academy in Utica, NY at a cost of \$17,500.00 from budget line A3410.4.930 was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried - Vote:

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



VILLAGE OF JOHNSON CITY

Resolution #2016 – 158

A motion to authorize the acceptance of an Assistance to Fire Fighters Grant (#EMW--00914) in the amount of \$170,667.00 to replace Self Contained Breathing Apparatus (Air Packs) was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

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

POLICE (Trustees Balles & Walker) – No new business

PUBLIC WORKS (Trustees Balles & Fuller)

Resolution #2016 - 159

A motion to authorize the forgiveness of a \$40.00 fine for a TV collected at 64 Roberts Street was made by Trustee Walker and seconded by Trustee Meaney.

Motion Failed - Vote:

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

Resolution #2016 - 160

Authorize the Mayor to sign an agreement with the Village of Endicott for the use of Johnson City's sewer vacuum truck and two heavy equipment operators for the purpose of providing sewer vacuum service's upon Endicott's request in a form acceptable to Counsel for the Village.

This resolution was held over by Trustee Meaney.

RECREATION (Trustees Balles & Fuller) – No new business

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

JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney) – No new business

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Bruce King, First Street – Asked about the JSPT and VARPUR being \$0.00. Clerk/Treasurer Kennerup explained that no bills were submitted this abstract for these.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor Deemie adjourned the meeting at 7:53pm.

Cindy Kennerup
Clerk/Treasurer

CK/db



VILLAGE OF JOHNSON CITY

VILLAGE OF JOHNSON CITY LOCAL LAW NO. 4 FOR THE YEAR 2016

A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED “ZONING”

Section 1.

Chapter 300 of the Village Code, as amended, be and hereby is further amended by this local law as follows:

§300-52.8 Nonconforming signs.

Insert:

- A. (3) Replacement of an existing sign face or faces for a new business or advertiser or change in existing business or advertiser logo without altering the sign structure is permitted and will not result in a loss of nonconforming status
- B. (3) The sign structure is replaced.

[The remainder of this section remains the same]

Insert new section:

§300-60.6.1 Code compliance required.

The commencement or continuation of any activity regulated by this chapter that is not in compliance with the express provisions of this chapter, or that is not in compliance with the express provisions of any site plan, special permit or variance including any attached plans, findings or conditions, shall be a violation of this chapter and subject to enforcement under the terms of this article and New York Law.

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. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.