



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 John Walker, Trustee

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, September 20, 2016 in the Municipal Building, 243 Main St., Johnson City

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

Absent: None

Also Present: Cindy Kennerup, Village Clerk/Treasurer
Jeff Jacobs, Attorney for the Village
Police Chief Brent Dodge
Grant Writer, Dai Newman

MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, October 4, 2016 at 7:30pm with a work session at 5:30pm
- [2] Broome County Budget Meeting Schedule – copies are available
- [3] County Executive Preston will be in attendance at the next Village Board meeting
- [4] JC Partners Cruze-Inz for this year will be held from 5-8pm on Thurs., Sept. 22nd in the Village Hall Parking lot. This month they will be honoring Veterans.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the September 6, 2016 regular meeting and work session was made by Trustee Meaney and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

BIDS

Bids were opened and read at 10:00am on Thursday, September 15, 2016 at Village Hall for the Village Hall Roof Replacement as follows:

<u>Contractor</u>	<u>Bid Amount</u>
AB Construction & Roofing	\$148,000.00
AW Farrell & Son	\$165,000.00
Tower Roofing	\$167,000.00
Elmer W. Davis Roofing	\$190,000.00
Weathermaster Roofing	\$214,500.00



VILLAGE OF JOHNSON CITY

PUBLIC HEARINGS

- [1] 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.

Mayor Deemie opened the public hearing.

Carol Laskoski, Edward St. - Asked what does “No Standing” mean. Also asked how this got done. She asked about a concern she had at Riale Ave. and Riverside Dr. a couple of years ago and stated that counsel told her she would need to get a petition. Did someone file a petition? Mayor Deemie explained that some of this is signs that need to be replaced and were located on streets at one time but for some reason were not in the law. On Nelson Road, there were parking issues and they contacted the Board and discussed the situation with the Board and the Chief. Attorney Jacobs explained that “No Standing” does mean no parking or leaving cars there. Ms. Laskoski asked how this was done. Attorney Jacobs explained that it is typically one of three ways, residents will bring a petition to the attention of the Mayor. The other ways are that the Police or DPW identify an issue and bring it to the attention of the Mayor. Ms. Laskoski asked if there is a minimum number of signatures needed on a petition and spoke about a situation at the corner of Riale Ave. and Riverside Dr. Mayor Deemie stated that there is no minimum number of signatures needed. Ms. Laskoski asked what the minimum distance to a corner is. Mayor Deemie stated typically 25ft. Mayor Deemie stated that there was no need for a petition. He will have it looked at by the Traffic Dept. and Bob Bennett.

Mayor Deemie closed the public hearing.

- [2] Johnson City iDistrict Revitalization Initiative which is seeking funding under Round 4, Restore NY Communities Initiative, Municipal Grant Program-through Empire State Development Corporation (ESDC) for the demolition of vacant properties 38 St. Charles Street (2,500 sq. ft.) and 219 Main Street (6,624 sq. ft.). Redevelopment options for 219 Main St. are expected to be commercial or mixed-use, while 38 St. Charles will seek residential redevelopment.

Mayor Deemie opened the public hearing. There being no one wishing to speak, Mayor Deemie closed the public hearing.

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Richard Wallikas, Deyo Hill Road – Asked if there is an active Code Enforcement Dept. in the Village. Mayor Deemie stated yes. Mr. Wallikas stated that if you drive around the Village, it is really decaying especially in the downtown area. He asked if Code inspects these properties. Mayor Deemie explained that unless there is public access they cannot go into the buildings without a search warrant or an owner or tenant lets them in the building. Otherwise they do what they can from the outside and cite them



VILLAGE OF JOHNSON CITY

for code violations on the outside. Mr. Wallikas stated that if you go to 144 Lester Avenue there have been bed posts and garbage in front of that building for the last several weeks. His experience with Code is that they don't get out of the car. They sneak in and sneak out and don't return phone calls – it's not effective. In the past he knows that the Village has spoken about bringing Code back. Mayor Deemie explained that we are in the process of doing a study to look at that. Trustees Balles and Meaney are on a committee that is to have a report to him by the end of the month in regards to code – how it's working/not working and the implications of bringing it back or not. Mr. Wallikas stated that there is one part time Code Officer. Mayor Deemie explained that there are 2 part time Code Officers. Mr. Wallikas stated they hide in the office - he went to see one of them one time about an issue and he was told the Code Officer was not available but he knew he was in the office because he saw him. He feels Code should be brought back. Code is not doing their job. He stated that at one time Code Enforcement was at the Fire Dept. Mayor Deemie explained that could be an option. Mr. Wallikas asked about the status of the property at 145 Floral Avenue that had a fire. Mayor Deemie explained that it was sold and Dee Golazeski has been talking to the new owners about their plans. Trustee Walker stated that they have been working on the building – they removed hanging siding that was a danger, removed the upper broken windows and dumpsters of stuff being removed from the property – cleaning it out. Mr. Wallikas stated that at 69-75 Baldwin Street there are broken windows and glass around the road. Mayor Deemie stated he will look at it and call the owner and the last he knew it was secured.

Don Slota, Eldridge Avenue – Congratulated Chief Dodge and the JC Police for being re-accredited. Of the over 500 police agencies in the state, only 150 are accredited. He feels that more people need to know about news like this.

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] Living with Waters Summit Oct. 7 & 8, 2016. Free but registration required.
- [2] 2016 Broome County Riverbank Cleanup - Saturday, October 15th, 2016 9am – 12pm. Preregister by October 6th online at the Environmental Management Council website www.gobroomecounty.com/emc/riverbankcleanup
- [3] Notice of a special meeting of the Joint Sewage Board on Sept. 20, 2016 at 4:00pm.
- [4] Notice of the Sept. 22, 2016 meeting of the Br. Co. Association of Towns & Villages

COMMITTEE/BOARD REPORTS

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

- [1] Minutes of the August 9, 2016 regular meeting of the Village of Endicott Board
- [2] Minutes of the September 7, 2016 regular meeting of the Town of Union Board



VILLAGE OF JOHNSON CITY

DEPARTMENT REPORTS

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

[1] Departments of Public Works and Water Monthly Report – August 2016

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #6 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 – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

GENERAL FUND	\$375,912.96
WATER FUND	\$86,813.34
SEWER FUND	\$259,927.19
REFUSE FUND	\$54,696.40
JSTP	\$1,384,761.32
VARPUR	\$1,505,761.32

UNFINISHED BUSINESS

Resolution #2016 - 153

A motion to 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 was made by Trustee Fuller and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

Resolution #2016 - 154

A motion to 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 was made by Trustee Fuller and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

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 tabled by Trustee Fuller.

Ayes – 3 (*Fuller, Walker, Balles*) **Nays** – 2 (*Meaney, Deemie*) **Absent** – 0



VILLAGE OF JOHNSON CITY

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2016 - 161

A motion to award the bid for the Village Hall Roof Replacement in the amount of \$148,000.00 to AB Construction & Roofing as the lowest responsive bid was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

Resolution #2016 - 162

A motion to adopt 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 was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

WHEREAS, the Village of Johnson City scheduled a public hearing for September 20, 2016 at 7:35 p.m. for Local Law No. 5 of the year 2016 entitled “A LOCAL LAW AMENDING CHAPTER 264 ENTITLED ‘VEHICLES AND TRAFFIC’”; 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 20th 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 617.5(c)(16) of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law constitutes a Type II Action as defined under said regulations. SEQRA provides that installation of traffic control devices on existing streets is not subject to review, and the Vehicles and Traffic Law includes in the scope of traffic control devices those devices erected to guide traffic; 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 of the Village of Johnson City hereby adopts said Local Law as Local Law No. 5-2016 entitled “A LOCAL LAW AMENDING CHAPTER 264 ENTITLED ‘VEHICLES AND TRAFFIC’”, a copy of which is attached hereto and made a part hereof; and



VILLAGE OF JOHNSON CITY

RESOLVED, 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 this resolution will take effect immediately.

Resolution #2016 - 163

A motion to approve 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) which will be supplemented by funding from Wells Fargo Bank for the demolition of 38 St. Charles Street and 219 Main Street, as this project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and is expected to attract and enhance new development was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

Resolution #2016 - 164

A motion to authorize Village Justice Gregory Thomas to apply for the 2016-2017 Justice Court Assistance Program (JCAP) Grant through the New York State Unified Court System was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

Resolution #2016 - 165

A motion to support the Village's application for New York Main Street Technical Assistance Project which will seek to create design guidelines for future redevelopment of the downtown area was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) – No new business

POLICE (Trustees Balles & Walker)

Resolution #2016 - 166

A motion to promote Patrolman Brian Berdine to the rank of Sergeant from Broome County Certified List #76-223A, effective September 22, 2016 at the base salary determined by the Collective Bargaining Agreement was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0



VILLAGE OF JOHNSON CITY

PUBLIC WORKS (Trustees Balles & Fuller)

Resolution #2016 - 167

A motion to appoint Mark Tackley to the position of Water Distribution Operator - Trainee, from the Broome County Certified List #62-592, with an effective date to be determined, at a starting hourly rate of \$19.39 as set by the Collective Bargaining Agreement, contingent upon the successful completion of the required pre-employment drug testing and the successful completion of a background check was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

Resolution #2016 - 168

A motion to authorize the Mayor to sign an agreement with Shumaker Consulting, Engineering and Land Surveying, D.P.C. for engineering services for the Arch Street and Faatz Alley Reconstruction in the amount of \$14,860.00 was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

RECREATION (Trustees Balles & Fuller) – No new business

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

JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)

Resolution #2016 - 169

A motion to authorize the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to transfer \$2,641,283.81 from the Flood Capital Fund and \$3,917,240.86 from the Capital Fund to be returned to the users of the Wastewater Treatment Plant based on the Approved 2015 Flows was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

Ayes – 5 (*Meaney, Fuller, Walker, Balles, Deemie*) **Nays** – 0 **Absent** – 0

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor. There being no one wishing to speak, Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor Deemie adjourned the meeting at 7:59pm.

Cindy Kennerup
Clerk/Treasurer

CK/db



VILLAGE OF JOHNSON CITY

VILLAGE OF JOHNSON CITY LOCAL LAW NO. 5 FOR THE YEAR 2016

A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED VEHICLES AND TRAFFIC

Section 1. Chapter 264 of the Village Code shall hereby be amended as follows:

§ 264-89 Schedule XIV: No Standing.

A. No standing here to corner. In accordance with the provisions of § 264-23, no person shall stand a vehicle upon any of the following described streets or parts thereof:

Delete the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
High Street	East	14.7 feet to North Street

Insert the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Myrtle Avenue	East	30 feet to North Street

B. No standing anytime. In accordance with the provisions of § 264-23, no person shall stand a vehicle upon any of the following described streets or parts thereof:

Delete the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
High Street	East	From House Nos. 14 to 42

Insert the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
High Street	East	Entire length from North Street to Harry L. Drive
Nelson Road	East and West	From the property line between House Nos. 621 and 623 to the dead end

[The remainder of this section remains the same]

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,



VILLAGE OF JOHNSON CITY

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.