



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, October 4, 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

MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, October 18, 2016 at 7:30pm with a work session at 5:30pm
- [2] Village Offices will be closed on Monday, October 10, 2016 in observance of Columbus Day. There WILL BE yard waste collection on October 10th.
- [3] Grand Opening for The Grapevine Café & Tea Lounge, 220 Main St. will be Oct. 6th.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the September 20, 2016 regular meeting and work session and the September 28, 2016 special meeting was made by Trustee Balles and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

BIDS - None

PUBLIC HEARINGS - None

PETITIONS RECEIVED

- [1] Petition Received from Mr. David Kellam requesting that the Village not put back up the no parking signs on the even side of the street from 38 Nassau St. to 50 Nassau St.

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

David Kellam, Berkley St. – Asked where the old EJ building is that some developer purchased and the Village was doing some type of PILOT program. Also asked where the nursing school stands. Mayor Deemie explained that the old EJ buildings is Regan Development's Century-Sunrise Project off of Baldwin and Willow Streets. The developer just got a permit to go in and start stabilizing the roofs. The project is moving forward but because of financing it has taken



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time. As for the nursing school, the Mayor explained that his understanding is that it is down the road once they get the pharmacy school up and going. They've got the building, they've cleaned it out. What they are going to do to it at this point, he is not sure but he doesn't think there will be any students in it for at least the next year or so. SUNY does own the building.

Corinna Johnson, Cook Street – JC Partners are having a clean-up on Make a Difference Day, Saturday, October 22nd. They will be meeting at 9:00am at the Red Robin and will clean from 9-11am. The JC Neighborhood Project, in conjunction with the Police Dept., the Police Benevolent Association and the Goodwill Theatre will have a “Trunk or Treat” on Halloween at the Firehouse Stage Parking Lot from 5:30 – 7:30pm.

Julie Deemie, Zoa Avenue – Complimented Don DeMauro of Spool Manufacturing. The art showing that he just recently closed was fabulous – the best out of the box type of thinking that we need in JC.

Bruce King, First Street – Asked for clarification of the proposed Local Law #6-2016, Designation of monthly parking stalls - to repeal Subsections A and B in their entirety. Mayor Deemie explained that in the Willow lot there are 10 spots that say monthly parking only. He was told that they were for a business that used to be there for sales people to park. Someone recently parked there and was ticketed because they didn't have a monthly tag. A monthly tag allows you to park anywhere. There is no reason to keep the monthly parking only signs there anymore. Also, according to the code, the parking lot behind Village Hall is for monthly parking only so that is also being changed.

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

- [1] Notice of application for new liquor license for Sedla, LLC, dba JC Bar & Grill, 320 Grand Avenue
- [2] Notice of the October 11, 2016 regular meeting of the Bing - JC Joint Sewage Board
- [3] Notice of the October 5, 2016 special meeting of the Bing – JC Joint Sewage Board

COMMITTEE/BOARD REPORTS

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

- [1] Minutes of the August 23, 2016 regular meeting of the JC Planning Board
- [2] Minutes of the September 21, 2016 regular meeting of the Town of Union Board
- [3] Minutes of the September 15, 2016 meeting of the Br. Co. Assoc. of Municipal Clerks
- [4] Minutes of the September 22, 2016 meeting of the Br. Co. Assoc. of Towns & Villages

DEPARTMENT 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] Code Enforcement Monthly Report – August 2016
- [2] Police Department Monthly Report – July 2016



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PAYROLL AND BILLS PRESENTED

A motion to approve abstract #7 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	\$884,297.28
WATER FUND	\$453,026.14
SEWER FUND	\$159,971.19
REFUSE FUND	\$33,777.39
JSTP	\$104,064.16
VARPUR	\$7,709,923.02

UNFINISHED BUSINESS

Resolution #2016 - 160

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

Motion Carried - Vote:

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

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2016 – 172

A motion to introduce Local Law #6-2016, amending Chapter 264 of the Village Code entitled “Vehicles and Traffic” as follows: §264-54 (Designation of monthly parking stalls) to repeal Subsections A and B in their entirety; to schedule a public hearing on said local law on October 18, 2016 at 7:35 p.m.; and to authorize publication of notice of said public hearing 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 – 173

A motion to introduce Local Law #7-2016, amending Chapter 264 of the Village Code entitled “Vehicles and Traffic” as follows: §264-89B. to add Nassau Street-east side, entire length from service road to Pratt Avenue; to schedule a public hearing on said local law on October 18, 2016 at 7:35 p.m. and to authorize publication of notice of said public hearing was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

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



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Resolution #2016 – 174

A motion to Introduce Local Law #8-2016, amending Chapter 264 (a) and (b) of the Village Code entitled “Vehicles and Traffic”, Section 64 (Fines; penalties for offenses), increasing the base fine to a minimum of \$40.00; providing for a reduced fine if paid within five (5) business days, and to schedule a public hearing on said local law on October 18, 2016 at 7:30 p.m. and to authorize publication of notice of said public hearing was made by Trustee Fuller and seconded by Trustee Balles.

Motion Carried - Vote:

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

Resolution #2016 – 175

A notice to waive the 30 day notice period to Sedla, LLC, d/b/a JC Bar & Grill, 320 Grand Avenue, for a liquor license with a letter of authorization from the Mayor was made by Trustee Balles and seconded by Trustee Fuller.

Motion Carried - Vote:

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

Resolution #2016 – 176

A motion to authorize the Mayor to sign a revised proposal with Keystone Associates Architects, Engineers and Surveyors, LLC for Architectural and Engineering Services for the Pagoda Building 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 – 177

A motion to authorize the Mayor to sign a proposal with Keystone Environmental Services for a Pre-Demolition/Renovation Asbestos Survey Report for the Pagoda Building was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried - Vote:

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

Resolution #2016 – 178

A motion to authorize the hiring of Delta Engineers at a cost of \$900.00 for engineering and design work for the proposed new security door in the Village Court, which is a prerequisite for the 2016-2017 Justice Court Assistance Program (JCAP) Grant was made by Trustee Fuller and seconded by Trustee Meaney.

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) – No new business



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PUBLIC WORKS (Trustees Balles & Fuller)

Resolution #2016 - 179

A motion to amend resolution #2016-167 appointing Mark Tackley to the position of Water Distribution Operator - Trainee, from the Broome County Certified List #62-592, to correct the starting hourly rate to \$16.39 as set by the Collective Bargaining Agreement, and to add a start date of September 29, 2016 was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

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

Resolution #2016 - 180

A motion to authorize the Mayor to sign supplemental agreement #1 with Shumaker Consulting, Engineering, and Land Surveying, D.P.C. to include materials testing for the Reynolds Road/Anna Maria Drive Drainage Project as approved by the Governor's Office of Storm Recovery (GOSR) was made by Trustee Walker and seconded by Trustee Balles.

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) – No new business

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Don Slota, Eldredge Avenue – Asked for clarification about Res. #2016-174 and the minimum fine of \$40.00. Mayor Deemie explained that the Board took Binghamton and Endicott's ticket schedules and balanced them against ours and we were low in what we were charging for fines and the Police have to order parking tickets in the next month for the upcoming season. Our fees were not covering the costs to issue and process the tickets. Mayor Deemie explained how they arrived at the dollar amounts. Mr. Slota asked if the Village has parking enforcement. Mayor Deemie stated yes we do. Mr. Slota asked about the meters on Floral Avenue by the fire station. Mayor Deemie stated that the lot next to the fire station is the lot for the park and there are no meters in that lot. Mr. Slota stated that lot is a mess and looks like a dump. Mayor Deemie explained that the lot is cleaned up often but every time it is cleaned it quickly is a mess again. Mr. Slota stated that we should talk to King Deli since that is where it is all coming from. Mr. Slota asked how alternate street parking was resolved last year. Mayor Deemie stated was resolved last year and reviewed the rules. It now starts on December 1st. Mr. Slota asked if the pagoda is on the historic register. Mayor Deemie explained that it is not yet but we are working on it. Mr. Slota asked if we are doing anything with the Arch. Mayor Deemie explained that we are in conversation with Donna Lupardo's office for funding for that. It is stabilized at the moment. We are trying to get funds to do the whole thing at once. Our grant writer is working on that. Mr. Slota stated that only one of the lights is working on it. Mayor Deemie explained that when the Arch was redone in the 1980's they covered over the access panels so we cannot get inside it right now.



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David Kellam, Berkley Street – Spoke regarding the parking lot by the fire station (on Floral Avenue). It looks really bad with litter. The weeds were not whacked over the summer and in the back of the fire station there is all that bamboo. At one time during the summer for 2 or 3 weeks there was a tree cut down back there. His thought is that if it was weed whacked during the summer it would look nice. Also take care of the bamboo. Overall the summer staff did a decent job but at times let things slip.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor Deemie adjourned the meeting at 8:04pm.

Cindy Kennerup
Clerk/Treasurer

CK/db

Recordings of the Village Board meetings and work sessions are available for review through the Village Clerk/Treasurer's Office.



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VILLAGE OF JOHNSON CITY - LOCAL LAW NO. 6 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:

§ 264-54. Designation of monthly parking stalls.

A. This subsection is hereby repealed in its entirety.

B. This subsection is hereby repealed in its entirety.

(The remainder of this section shall remain 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, 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.



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VILLAGE OF JOHNSON CITY - LOCAL LAW NO. 7 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.

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:

Insert the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Nassau Street	East	Entire length from service road to Pratt Avenue

[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, 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.