



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, November 15, 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 Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits. Mayor Deemie observed a moment of silence in memory of JC resident and veteran Don Patch who was a frequent attendee of the Village Board meetings.

MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, December 6, 2016 at 7:30pm with a work session at 5:30pm
- [2] The refuse collection for Thanksgiving week will be as follows:
Garbage normally collected on Thursday, Nov. 24th will be collected on Friday, Nov. 25th.
Garbage normally collected on Friday, Nov. 25th will be collected on Monday, Nov. 28th.
Monday, Nov. 28th - No yardwaste. All other routes will be collected on their normally scheduled days.
- [3] Village Offices will be closed on Thurs., Nov. 24th & Fri, Nov. 25th for Thanksgiving
- [4] The JCBPW Association's Annual Holiday Parade will be at 7pm on Thursday, December 1st on Main Street.
- [5] Annual Lights on the Carousel will be held from 5 – 8pm on Dec. 2nd & 3rd, Dec. 9th & 10th and Dec. 16th & 17th.
- [6] Alternate street parking begins on December 1st.
- [7] Funding announced for the Decker School of Nursing. Governor Cuomo was in JC today to sign the final beam for the Pharmacy School.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the October 18, 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 - None



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PUBLIC HEARINGS - None

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Rose Dillenbeck, Haskins Rd., Town of Maine (owns 332 Arthur Avenue) – Read and presented a letter to the Board (copy on file) regarding the sewer system and cesspool at the property. Is requesting forgiveness for the extra funds she had to pay.

Melodie Smith, Nassau Street – Asked if the corner of Nassau Street and Brocton Street can be made into a 4 corner stop. Stated that there have been 4 accidents there this summer and the school bus stops there. Asked about Nassau Street being a red line street and the way it is marked in the code book. Chief Dodge explained what a red line street is – they are not subject to alternate-street parking regulations. Asked about emergency snow routes – there are signs on one end of Nassau and Concord Streets. Why are there not emergency snow signs on both ends of the street. Mayor Deemie stated we will look into that. Asked about SEQR which appeared on the last agenda. Doesn't understand why it was on the agenda. Attorney Jacobs explained the SEQR process and the different levels of review.

Lynette Bryant, Tokos Grove Road – President JC Library Board – 2017 is the library's 100th Anniversary. Many activities are planned and they hope everyone will join them.

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] Letter from Charles & Melodie Smith on Nassau Street asking for a handicap space in front of their home.
- [2] Letter from Charles & Melodie Smith on Nassau Street asking distance signs to be put up on Nassau Street.
- [3] Notice of the November 15, 2016 regular meeting of the Bing. – JC Joint Sewage Bd.

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 September 27, 2016 regular meeting of the JC Planning Board
- [2] Minutes of the October 20, 2016 meeting of the Br. Co. Assoc. of Municipal Clerks
- [3] Minutes of the October 19, 2016 regular meeting of the Town of Union Board
- [4] Minutes of the August 9, 2016 meeting of the Binghamton – JC Joint Sewage Board
- [5] Minutes of the September 1, 2016 meeting of the Binghamton – JC Joint Sewage Board
- [6] Minutes of the Sept. 13, 2016 meeting of the Binghamton – JC Joint Sewage Board
- [7] Minutes of the Sept. 20, 2016 meeting of the Binghamton – JC Joint Sewage Board
- [8] Minutes of the September 27, 2016 regular meeting of the Village of Endicott Board
- [9] Minutes of the November 2, 2016 regular meeting of the Town of Union Board



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DEPARTMENT REPORTS

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

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

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #9 of the 2016 - 2017 fiscal bills, having been audited by the Board and approved, was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried - Vote:

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

GENERAL FUND	\$1,146,643.59
WATER FUND	\$273,040.19
SEWER FUND	\$112,163.96
REFUSE FUND	\$54,557.46
JSTP	\$1,944,391.16
VARPUR	\$1,944,391.16

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2016 – 191

A motion to rescind Resolution #2016 – 184 which authorizes the Clerk/Treasurer to remove the charges from the October 2016 utility bill for 145 Floral Avenue and make such adjustments as are necessary in the Village accounting records was made by Trustee Walker and seconded by Trustee Fuller.

Motion Failed - Vote:

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

Resolution #2016 – 192

A motion to rescind Resolution #2016 – 185 which authorizes the Clerk/Treasurer to remove a portion of the charges from the October 2016 utility bill for 901 Reynolds Road and make such adjustments as are necessary in the Village accounting records was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

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

Resolution #2016 – 193

Authorize the Clerk/Treasurer to remove the charges from the October 2016 utility bill for 145 Floral Avenue and make such adjustments as are necessary in the Village accounting records.

This resolution was withdrawn.



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Resolution #2016 – 194

A motion to authorize the Clerk/Treasurer to remove a portion of the charges from the October 2016 utility bill for 901 Reynolds Road and make such adjustments as are necessary in the Village accounting records was made by Trustee Meaney and seconded by Trustee Walker.

Motion Failed - Vote:

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

Resolution #2016 – 195

A motion to authorize the Clerk/Treasurer to remove the late payment penalty in the amount of \$27.70 from the October 2016 utility bill for 9 Wren Street and make such adjustments as are necessary in the Village accounting records was made by Trustee Walker and seconded by Trustee Fuller.

Motion Failed - Vote:

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

Resolution #2016 – 196

A motion to authorize the Clerk/Treasurer to remove the late payment penalty in the amount of \$47.82 from the October 2016 utility bill for 42 Miriam Street and make such adjustments as are necessary in the Village accounting records was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Failed - Vote:

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

Resolution #2016 – 197

A motion to authorize the Clerk/Treasurer to remove a portion of the charges from the October 2016 utility bill for 69 Sergeant Street and make such adjustments as are necessary in the Village accounting records was made by Trustee Walker and seconded by Trustee Balles.

Motion Failed - Vote:

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

Resolution #2016 – 198

A motion to authorize the Village Treasurer to forward the 2016-17 Unpaid Village Property Taxes (levied on June 1, 2016) to the Broome County Commissioner of Finance in the amount of: Real Property Taxes - \$589,399.57, Interest & Penalties - \$47,151.97, Late Mail Fees - \$305.00, for a total amount relieved of \$636,856.54 was made by Trustee Walker and seconded by Trustee Fuller.

Motion Carried - Vote:

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

Resolution #2016 – 199

A motion to authorize the acceptance of a grant in the amount of \$100,000 from the Local Initiatives Support Corporation to enable the Village to support New York's 2016 Zombie Property and Foreclosure Prevention Act was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

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



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Resolution #2016 – 200

A motion to authorize Free Parking from the Isabelle Lot to Jennison Street, including Broad Street, Willow Street, Lewis Street, North Broad Street, Avenue D, Avenue C, Avenue B, and Avenue A and all Municipal Lots commencing November 24, 2016 (Thanksgiving Day) through and including January 1, 2017 was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

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

Resolution #2016 – 201

A motion to authorize an increase of \$1.00/hr. for Margaret McCann, part time clerk in the Village Court based on a 6 month evaluation by Justice Gregory Thomas was made by Trustee Meaney and seconded by Trustee Walker.

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

PUBLIC WORKS (Trustees Balles & Fuller)

Resolution #2016 – 202

A motion to authorize the Mayor to sign an agreement with Delta Engineers, Architects & Land Surveyors for Professional Engineering Services for the Baldwin Street Storm Sewer Separation Project at a cost of \$18,200.00 was made by Trustee Fuller and seconded by Trustee Walker.

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 – 203

A motion to authorize the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to increase appropriations in the 2016 Budget for a FEMA settlement relating to 4031-PW2504 to allow payment of \$676,101.62 to the Owners was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried - Vote:

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



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The Binghamton-Johnson City Joint Sewage Board received a FEMA check for PW 2504 in the amount of \$707,270.15. The Board requests legislation by the Owners to increase 2016 Budget lines. On the revenue side: J.43960 (State Aid – Emergency) be increased by \$176,817.54 and J.44960 (Federal Aid – Emergency) be increased by \$530,452.61, and that JF.45031 (Flood Fund - Interfund Transfer) be credited/increased by \$30,302.50. On the expense apportionments that J8130.54899 (Reimburse Owners for Rec) be increased by \$676,967.65, that J9950.59000 (Transfer to Capital) be increased by \$30,302.50, and JF8130.559100 (Flood Capital Fund) be increased by \$30,302.50. Payments made via claim to the City of Binghamton (54.8%) in the amount of \$370,978.27 and the Village of Johnson City (45.2%) of \$305,989.38 will then be processed.

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Melodie Smith, Nassau Street – Asked about the letters she submitted regarding handicapped parking on the street in front of her house. Mayor Deemie explained that the Board members have all received copies. Mrs. Smith explained that being in the spring they will be unable to use their driveway because they need to install a handicap ramp that will come out 4 feet from the house. That is why they are asking for a handicapped space in front of their house. Mrs. Smith asked about distance signs. Mayor Deemie stated it had been discussed and he knew they had met with Bob Bennett and Diane Busko about this and it was explained that according to state law the distances do not have to be noted with signage. It has been recommended that we don't do that. The ones that do have the signage are typically secondary streets that come into a main thoroughfare. If we did the signage we would be setting a precedent and would have to do the whole Village and that would be very expensive.

Don Slota, Eldredge Avenue – Asked what the Local Initiatives Support Corporation is. Grant Writer Newman explained that the \$100,000 is money that came from the Attorney General's office. The Local Initiatives Support Corporation is managing the grant process. They are an agency at that state that manages the funds. The funds came from a lawsuit against some banks that were improperly making the foreclosure process very long and the properties became expensive and problematic for the communities that they are in so NYS went after the banks. There is a new law that will become effective on December 20, 2016 that will require vacant and abandoned properties to be registered with the state. Municipalities are also responsible for making sure that properties in their municipalities are listed on the state registry and also working towards diminishing the number of foreclosures that are in the area. The money is meant to reduce the number of vacant and abandoned properties. Mr. Slota asked about properties that are paying taxes but the property has fallen into neglect. Ms. Newman explained that is on an individual basis. Ms. Newman explained that we have properties that are not considered delinquent on their taxes but owe upwards of \$20,000 because they pay a certain percentage of the taxes. There are loopholes in the system and she explained the effects these properties have on the community and the municipality's services. The property owners have faced very little repercussions. Mayor Deemie stated it is a way to go after the banks for these properties. Mr. Slota mentioned a house Riverside Drive. Mr. Slota asked about the proposed work on Baldwin Street – didn't we just do that a few years ago and now it is going to be dug up? Mayor Deemie stated he wasn't sure what section of Baldwin Street was done before but this is a sewer separation project.



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Corinna Johnson, Cook Street – Announced that the JC Partners are going to do the gatherings at the gazebo again this year on Thursdays and Saturdays, December 1st – December 22nd from 6-7pm.

David Kellam, Berkley Street – Thinks the Zombie Law is a great thing. Stated that the Mayor just mentioned the \$20,000 the Village received from Wells Fargo. Asked if the Board thought of using that as seed money. Mayor Deemie stated that the place on St. Charles Street needs to come down. \$20,000 is only about half of what we need for the demolition and we are looking for funds for the rest of it. Mr. Kellam asked if Ms. Newman was able to get in touch with anyone in Rochester regarding the seed program he spoke to her about. Ms. Newman explained that she did and they are no longer doing it in Rochester.

Bruce King, First Street – Asked about Res #191 - to rescind Res. # 184 regarding utility bill forgiveness for the property at 145 Floral Avenue. Asked for a reminder of what was done at the last meeting with that property. Mayor Deemie stated they granted the forgiveness. Mr. King asked about Res #192. Mayor Deemie stated that they granted the forgiveness for that property at the last meeting as well but it was rescinded and now it is a no. Mr. King asked why all of a sudden we are getting 3 requests at a time. Trustee Walker and Mayor Deemie stated that they asked the same thing. Mr. King asked what the reasons were for the requests. Mayor Deemie explained the requests. Mr. King asked what streets were added for the free parking. Mayor Deemie stated Broad Street, Willow Street and Lewis Street.

Julie Deemie, Zoa Avenue – Asked about the forgiveness scenarios for 145 Floral Avenue and 901 Reynolds Road. Mayor Deemie explained that 145 Floral Avenue was the house where they had a fire. They still had a meter in which the new owner did have taken out and he has a dumpster for garbage. Even if a person has a dumpster they still get a bill because most of them do not have a separate dumpster for recyclables so we still have to pick their recycling. Mayor Deemie explained that for 901 Reynolds Road the family was away for 2 weeks and they spoke to a Village water employee who explained that there was an increase in usage in August but it was back to normal now. They could not find a leak anywhere. Mayor Deemie stated that can't prove the water wasn't used so they can't forgive it.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor Deemie adjourned the meeting at 8:14pm.

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.