



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

AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, December 20, 2016 @ 7:30pm • Village Hall, 243 Main St., 2nd fl, Johnson City, NY

We kindly request that you turn off or mute all cell phones and pagers.

We kindly request that if anyone wishes to read from a prepared statement, please provide the Clerk with a copy so that the minutes can be as accurate as possible.

ORDER OF BUSINESS:

1. ***PLEDGE OF ALLEGIANCE***

2. ***FIRE EXITS***

3. **MAYOR'S ANNOUNCEMENTS**

- [3.1] The next regular Village Board Meeting will be Tuesday, January 3, 2017 at 7:30pm with a work session at 5:30pm
- [3.2] Swearing in Ceremony for Trustees Balles and Walker will be at 11am on January 1, 2017 at the Justice Building
- [3.3] Village offices will be closed on Monday, December 26th in observance of Christmas and Monday, January 2nd in observance of New Year's Day. There will be no changes to the refuse schedule for these 2 weeks.
- [3.4] Christmas trees will be collected on January 9th and January 16th, 2017

4. **APPROVAL OF BOARD MINUTES**

Minutes of the December 6, 2016 regular meeting and work session.

5. **BIDS** - None

6. **PUBLIC HEARINGS**

- [6.1] Local Law #8-2016, amending Chapter 264 of the Village Code entitled "Vehicles and Traffic" as follows: §264-98 (Schedule XIII: Handicapped Parking) to add Virginia Avenue-west side, House No. 83

7. **PETITIONS RECEIVED**

8. **PRIVILEGE OF THE FLOOR – VISITORS**

9. **COMMUNICATIONS**

- [9.1] Notice of the December 13, 2016 meeting of the Joint Sewage Board
- [9.2] Notice of the December 22, 2016 meeting of the Joint Sewage Board
- [9.3] Notice of the January 10, 2017 meeting of the Joint Sewage Board



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10. COMMITTEE/BOARD REPORTS

- [10.1] Minutes of the December 8, 2016 meeting of the Broome County Association of Municipal Clerks.
- [10.2] Minutes of the December 7, 2016 regular meeting of the Town of Union Board

11. DEPARTMENT REPORTS

- [11.1] Code Enforcement Monthly Report – November 2016
- [11.2] Departments of Public Works & Water Monthly Report – November 2016
- [11.3] Fire Department Overtime Report for the week of December 1 – 14, 2016
- [11.4] Police Department Monthly Report – October 2016
- [11.5] Police Department Overtime Report for the week of December 1 – 14, 2016

12. PAYROLL AND BILLS PRESENTED

Abstract #11 of the 2016 - 2017 Fiscal bills

GENERAL FUND	\$817,795.81
WATER FUND	\$333,270.51
SEWER FUND	\$9,608.28
REFUSE FUND	\$65,634.87
JSTP	\$407,036.62
VARPUR	\$407,036.62

13. UNFINISHED BUSINESS - None

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2016 – 213

Adopt Local Law #8-2016, amending Chapter 264 of the Village Code entitled “Vehicles and Traffic” as follows: §264-98 (Schedule XIII: Handicapped Parking) to add Virginia Avenue-west side, House No. 83.

WHEREAS, the Village of Johnson City scheduled a public hearing for December 20, 2016 at 7:35 p.m. for Local Law No. 8 of the year 2016 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE 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 December, 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



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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. 8-2016 entitled "A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED "VEHICLES AND TRAFFIC"", a copy of which is attached hereto and made a part hereof; and

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 – 214

Authorize the Mayor to sign a Shared Service Agreement for Emergency Assistance with the New York State Department of Transportation.

Resolution #2016 – 215

Authorize the Mayor to sign a contract with NY Atlantic Inland, Inc. for electrical inspection services for the period of January 1, 2017 – December 31, 2017 with 2 one year renewal options as recommended by the Electrical Board with there being no cost to the Village.

Resolution #2016 – 216

Approve the following resolution.

WHEREAS, 52 North Harrison Street, Johnson City (the "Property"), was included in the HMGP No. 4020-0069 flood buyout program (the "2011 Grant Program"), and

WHEREAS, the Property was subject to a foreclosure action and not able to be purchased as part of the 2011 Grant Program prior to consummation of the foreclosure action, and

WHEREAS, the Property is now owned by HUD, and

WHEREAS, the Village has been advised by the New York State Emergency Management Office that the 2011 Grant Program funds may be utilized to procure the Property from HUD, and

NOW THEREFORE, BE IT, RESOLVED, that the Village be and hereby is directed to make an offer to purchase for the Property in an amount not to exceed the amount discussed in the heretofore validly called executive session; and



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BE IT FURTHER, RESOLVED, that any such offer is contingent upon the 2011 Grant Program funds being authorized and available for the purchase of the Property.

BE IT FURTHER, RESOLVED, that the Mayor, Clerk Treasurer and Counsel to the Village are hereby authorized and directed to execute any purchase offer, contract and related documents or to take any actions necessary to implement the acquisition of the Property.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) – No new business

POLICE (Trustees Balles & Walker)

Resolution #2016 – 217

Approve a travel request for Sgt. Cameron Hillman, Sgt. Dan VanWie and Officers Louis Cioci, and Matthew Kushner to attend SWAT team Special Training from December 11 – 16, 2016 at Fort Drum, NY at a cost of \$1,400.00 from budget line A3120.4.930.

Resolution #2016 – 218

Authorize the Police Dept. to purchase a Taser Body-worn Camera system from Taser International at a cost of \$22,577.50 to be reimbursed by the New York State Division of Criminal Justice Services through a grant facilitated through the office of Senator Fred Akshar.

Resolution #2016 – 219

Declare an older filing system cabinets as surplus equipment and authorize the Police Department to dispose of the same via AuctionsInternational.com at no cost to the Village and further authorize the Police Department to dispose of these items in a safe and proper manner if they do not sell in the auction.

PUBLIC WORKS (Trustees Balles & Fuller) – No new business

RECREATION (Trustees Balles & Fuller) – No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Balles & Walker)

Resolution #2016 – 220

Acknowledge and accept Terry Deamer's Application/Petition to Rezone 117 Oakdale Road (TM #143.45-1-2) located in the Village from Neighborhood Commercial (NC) to Industrial (IN) 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 Neighborhood Commercial (NC) to Industrial (IN) on January 3, 2017 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.



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JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)

Resolution #2016 – 221

Accept the FEMA settlement relating to 4031-PW2573 of \$63,840.53 and increase the 2016 Budget appropriations to allow payment of \$52,176.78 to the Owners.

The Binghamton-Johnson City Joint Sewage Board received a FEMA check for PW 2512 in the amount of \$491,741.40. The Board requests legislation by the Owners to increase 2016 Budget lines. On the revenue side: J.43960 (State Aid – Emergency) be increased by \$122,935.35 and J.44960 (Federal Aid – Emergency) be increased by \$368,806.05, and that JF.45031 (Flood Fund - Interfund Transfer) be credited/increased by \$15,920.90. On the expense apportionments that J8130.54899 (Reimburse Owners for Rec) be increased by \$475,820.50, that J9950.59000 (Transfer to Capital) be increased by \$15,920.90, and JF8130.559105 (Flood Capital Fund – Professional Services) be increased by \$15,920.90. Payments made via claim to the City of Binghamton (54.8%) in the amount of \$260,749.63 and the Village of Johnson City (45.2%) of \$215,070.87 will then be processed.

Resolution #2016 – 222

Accept FEMA settlement relating to 4031-PW2512 of \$491,741.40 and increase the 2016 Budget appropriations to allow payment of \$475,820.50 to the Owners.

The Binghamton-Johnson City Joint Sewage Board received a FEMA check for PW 2512 in the amount of \$491,741.40. The Board requests legislation by the Owners to increase 2016 Budget lines. On the revenue side: J.43960 (State Aid – Emergency) be increased by \$122,935.35 and J.44960 (Federal Aid – Emergency) be increased by \$368,806.05, and that JF.45031 (Flood Fund - Interfund Transfer) be credited/increased by \$15,920.90. On the expense apportionments that J8130.54899 (Reimburse Owners for Rec) be increased by \$475,820.50, that J9950.59000 (Transfer to Capital) be increased by \$15,920.90, and JF8130.559105 (Flood Capital Fund – Professional Services) be increased by \$15,920.90. Payments made via claim to the City of Binghamton (54.8%) in the amount of \$260,749.63 and the Village of Johnson City (45.2%) of \$215,070.87 will then be processed.

Resolution #2016 – 223

Authorize the transfer of 2016 Budget Appropriations in Overtime and Vacation Buy-Back from Personnel Services line for shift coverage and employees opting to sell back vacation.

The Binghamton-Johnson City Joint Sewage Board resolved to increase the 2016 Budget of Overtime Pay (line J8130.51900) by \$12,000.00 and Vacation Buy-Back (line J9089.58101) by \$7,500.00 with the amount of \$19,500.00 from Personal Services (line J8130.51000) to cover over-runs in those two 2016 Budget lines.



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Resolution #2016 – 224

Accept FEMA settlement relating to 4031-PW2504 and increase the 2016 Budget appropriations to allow payment of \$2,111,719.24 to the Owners.

The Binghamton-Johnson City Joint Sewage Board received a FEMA check for PW 2504 in the amount of \$2,111,719.24. The Board requests legislation by the Owners to increase 2016 Budget lines. On the revenue side: J.43960 (State Aid – Emergency) be increased by \$527,929.81 and J.44960 (Federal Aid – Emergency) be increased by \$1,583,789.43. On the expense apportionments that J8130.54899 (Reimburse Owners for Rec) be increased by \$2,111,719.24. Payments made via claim to the City of Binghamton (54.8%) in the amount of \$1,157,222.14 and the Village of Johnson City (45.2%) of \$954,497.10 will then be processed.

15. PRIVILEGE OF THE FLOOR – VISITORS

16. ADJOURNMENT

To contact Village Board members via e-mail please use the following addresses:

Mayor Gregory Deemie - jcmayor@villageofjc.com

Trustee Richard Balles - rballes@villageofjc.com

Trustee Deborah Fuller - dfuller@villageofjc.com

Trustee Martin Meaney - mmeaney@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com



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VILLAGE OF JOHNSON CITY - LOCAL LAW NO. 8 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:

§ 264-98 Schedule XXIII: Handicapped Parking.

In accordance with the provisions of § 264-32, the following described locations are hereby designated as handicapped parking areas:

Insert the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Virginia Avenue	West	House No. 83

[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.