



# 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, December 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

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits. Mayor Deemie expressed his thanks to outgoing Trustee Fuller and presented her with a plaque for her service.

#### MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, January 3, 2017 at 7:30pm with a work session at 5:30pm
- [2] Swearing in Ceremony for Trustees Balles and Walker will be at 11:00 am on January 1, 2017 at the Justice Building
- [3] Village offices will be closed on Monday, December 26<sup>th</sup> in observance of Christmas and Monday, January 2<sup>nd</sup> in observance of New Year's Day. There will be no changes to the refuse schedule for these 2 weeks.
- [4] Christmas trees will be collected on January 9<sup>th</sup> and January 16<sup>th</sup>, 2017

#### APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the December 6, 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 #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

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.

*Mike Tugwell, Greenridge Street* – Asked about Resolution #2016-215 for Electrical Inspection services – what are they inspecting. Mayor Deemie explained they do the electrical inspections in the Village whenever someone pulls an electrical permit.

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 December 13, 2016 meeting of the Joint Sewage Board
- [2] Notice of the December 22, 2016 meeting of the Joint Sewage Board
- [3] Notice of the January 10, 2017 meeting of the Joint Sewage Board

**COMMITTEE/BOARD 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] Minutes of the December 8, 2016 meeting of the Broome County Association of Municipal Clerks.
- [2] Minutes of the December 7, 2016 regular meeting of the Town of Union Board

**DEPARTMENT REPORTS**

A motion to accept and file the following Department 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 – November 2016
- [2] Departments of Public Works & Water Monthly Report – November 2016
- [3] Fire Department Overtime Report for the week of December 1 – 14, 2016
- [4] Police Department Monthly Report – October 2016
- [5] Police Department Overtime Report for the week of December 1 – 14, 2016

**PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #11 of the 2016 - 2017 fiscal bills, having been audited by the Board and approved, was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

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

GENERAL FUND	\$817,795.81
WATER FUND	\$333,270.51
SEWER FUND	\$9,608.28
REFUSE FUND	\$65,634.92
JSTP	\$407,036.62
VARPUR	\$407,036.62



## VILLAGE OF JOHNSON CITY

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

**Resolution #2016 – 213**

A motion to 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 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 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 20<sup>th</sup> 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 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.*



## VILLAGE OF JOHNSON CITY

### Resolution #2016 – 214

A motion to authorize the Mayor to sign a Shared Service Agreement for Emergency Assistance with the New York State Department of Transportation 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 – 215

A motion to 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 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 – 216

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

Motion Carried - Vote:

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

*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*

*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



## VILLAGE OF JOHNSON CITY

---

### POLICE (Trustees Balles & Walker)

#### **Resolution #2016 – 217**

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

Motion Carried - Vote:

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

#### **Resolution #2016 – 218**

A motion to 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 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 – 219**

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

Motion Carried - Vote:

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

**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**

A motion to 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 7:35pm 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 was made by Trustee Walker and Trustee Meaney.

Motion Carried - Vote:

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



## VILLAGE OF JOHNSON CITY

### JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)

#### **Resolution #2016 – 221**

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

Motion Carried - Vote:

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

*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**

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

Motion Carried - Vote:

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

*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**

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

Motion Carried - Vote:

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



## VILLAGE OF JOHNSON CITY

---

*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.*

### **Resolution #2016 – 224**

A motion to accept FEMA settlement relating to 4031-PW2504 and increase the 2016 Budget appropriations to allow payment of \$2,111,719.24 to the Owners was made by Trustee Meaney and seconded by Trustee Fuller.

Motion Carried - Vote:

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

*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.*

### **PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.

*Don Slota, Eldridge Avenue* – Asked for clarification regarding the FEMA monies at the JSTP. Mayor Deemie explained that we are constantly getting reimbursed FEMA money from the floods. It is an ongoing item.

*Corinna Johnson, Cook Street* – Asked if anyone knows who purchased the Kuzel buildings that were recently auctioned off. Mayor Deemie stated that we haven't heard anything. The final Gathering at the Gazebo is this Thursday.

*Mike Tugwell, Greenridge Street* – Stated the people have asked him about the Air Force buildings that have been demolished. Are they under the same set of rules as everybody else? Mayor Deemie explained that the property is in the Town of Union. He has heard that the Air Force paid to have the buildings demolished so no FEMA funds were used. The rumor is that they are going to sell it to the IDA who will work with the Town to redevelop the site. Trustee Walker stated that they are going to raise the site up to the level of the flood walls. The plans can be seen at the Town of Union. It will be residential and commercial. Mayor Deemie explained that they used CDBG funds to demolish some of the flood properties so they can be kept on the tax rolls. Mayor Deemie stated that some of the funds will be used on our new water plant.

*Julie Deemie, Zoa Avenue* – Asked what buildings in the Village were demolished with CDBG funds. Trustee Walker stated that there were a couple of buildings in the Village. Mayor Deemie stated he does not know what properties were. Mayor Deemie stated he will check with Paul Nelson.

Mayor Deemie closed the second privilege of the floor.



## VILLAGE OF JOHNSON CITY

---

Trustee Meaney asked if the Village had to act on the Lime Energy proposal before the end of the year. Mayor Deemie stated we signed the agreements but it is non-binding. We did not sign anything for the fire statements yet. Trustee Walker explained the proposal that Lime Energy gave at the last meeting. Trustee Meaney asked about road salt. Mayor Deemie stated that he has an e-mail from Bob Bennett that he will forward to him regarding that.

Mayor Deemie wished everyone a Merry Christmas and a Happy New Year.

### ADJOURNMENT

Mayor Deemie adjourned the meeting at 8:03pm.

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.*





# VILLAGE OF JOHNSON CITY

## 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.