



# VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET • JOHNSON CITY, NY 13790  
www.villageofjc.com

## Village Board

Gregory Deemie, Mayor  
Richard Balles, Deputy Mayor  
Bruce King, Trustee    Martin Meaney, Trustee    John Walker, Trustee

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### Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, February 21, 2017 in the Municipal Building, 243 Main St., Johnson City

Present:            Gregory Deemie, Mayor  
                      Richard Balles, Deputy Mayor  
                      John Walker, Trustee  
                      Bruce King, 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

#### MAYOR'S ANNOUNCEMENTS

- [1]     The next regular Village Board Meeting will be Tuesday, March 7, 2017 at 7:30pm with a work session at 5:30pm
- [2]     St. Patrick's Day parade is Saturday, March 4<sup>th</sup> in downtown Binghamton.

Mayor Deemie welcomed Deputy Broome County Executive Kevin McManus who gave a condensed State of the County address. Several residents asked questions of the Deputy Executive, which were answered.

#### APPROVAL OF BOARD MINUTES

A motion to approve the minutes of February 7, 2017 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 - None

PETITIONS RECEIVED - None

#### PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

*Rose Dillenbeck, Owner of property on Arthur Avenue* – (Written statement provided – on file)  
Informed the Board that she is bringing a claim against the Village in Small Claims Court for \$497.80 plus court costs and associated expenses.





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*Richard Rogler, Penny Holly Rd., Ninevah* – (Written statement provided – on file) Owns 2 properties in Johnson City. Protested the refuse charge on the two properties. He has a private hauler that he uses but is still charged by the Village. Mayor Deemie asked if Taylor Garbage collects his refuse and the recycling. Mr. Rogler stated yes they do. Mayor Deemie explained that the Board is researching this but has not made any decisions yet. Trustee Meaney asked if Taylor collects items like appliances. Mr. Rogler explained that he takes care of those items. He takes them to the landfill or to the recycling center. Trustee Meaney asked if there has been any times when a tenant may have missed a collection by Taylor and the Village collected the refuse. Mr. Rogler stated that he does not believe so. Trustee King asked if the containers are clearly marked with the hauler's name. Mr. Rogler stated no, they are just plain cans. Trustee King stated that might be something that we would require.

*Don Slota, Eldridge Avenue* – Asked about consolidation of services – is that still a “hot button” with the Governor. Mayor Deemie explained yes – if the Governor's budget passes they are going to take our AIM (Assistance to Municipalities) funding away if we don't participate in these committees for consolidation. Mayor Deemie explained that he sat on a committee a few years ago with the other Mayor's and Supervisors in the County on a plan to share services. Trustee Walker stated that he has spoken to both of our state representatives and neither one of them is in favor of the Governor's plan as it was presented. Right now, it has to come from the County. Mayor Deemie stated that he has spoken to our stated representatives as well.

Mayor Deemie closed the first privilege of the floor.

### **COMMUNICATIONS**

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

- [1] Letter from the NYS Department of Agriculture & Markets regarding fees for dog licenses
- [2] Letter from Mr. Warren Alpaugh seeking reimbursement for damages at his property due to a sewer backup

### **COMMITTEE/BOARD REPORTS** – None

### **DEPARTMENT REPORTS**

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

- [1] Police Department Monthly Report - November 2016
- [2] Police Department Overtime Report for the week of January 26 – February 8, 2017
- [3] Fire Department Overtime Report for the week of January 26 – February 8, 2017
- [4] Code Enforcement Monthly Report – January 2017

### **PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #15 of the 2016 - 2017 fiscal bills, having been audited by the Board and approved, was made by Trustee King and seconded by Trustee Walker.

Motion Carried - Vote:

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





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GENERAL FUND	\$57,087.59
WATER FUND	\$22,173.78
SEWER FUND	\$8,115.85
REFUSE FUND	\$20,627.30
JSTP	\$1,437,527.86
VARPUR	\$1,437,527.86

### **UNFINISHED BUSINESS**

#### **Resolution #2017 - 31**

A motion to accept FEMA settlement relating to 4031-PW2150 of \$1,011,014.24 and increase the 2016 Budget appropriations to allow payment of \$980,479.74 to the Owners was made by Trustee King and seconded by Trustee Walker.

Motion Carried - Vote:

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

*The Binghamton-Johnson City Joint Sewage Board received a FEMA check for PW 2150 in the amount of \$1,011,014.24. The Board requests legislation by the Owners to increase 2016 Budget lines. On the revenue side: J.43960 (State Aid – Emergency) be increased by \$252,753.56 and J.44960 (Federal Aid – Emergency) be increased by \$758,260.68, and that JF.45031 (Flood Fund - Interfund Transfer) be credited/increased by \$30,534.50. On the expense apportionments that J8130.54899 (Reimburse Owners for Rec) be increased by \$980,479.74 that J9950.59000 (Transfer to Capital) be increased by \$30,534.50, and JF8130.559105 (Flood Capital Fund – Professional Services) be increased by \$30,534.50. Payments made via claim to the City of Binghamton (54.8%) in the amount of \$537,302.90 and the Village of Johnson City (45.2%) of \$443,176.84 will then be processed.*

### **NEW BUSINESS**

#### **FINANCE & RULES (All Board Members)**

##### **Resolution #2017 - 34**

A motion to introduce Local Law #2-2017, amending sections of Chapter 264 of the Village Code entitled “Vehicles and Traffic” as follows: §264-87A. (Schedule XII: Parking Prohibited at All Times) to add Overbrook Road, north side, entire length; §264-100 (Schedule XXV: Red-Line Streets) to delete Franklin Street and North Broad Street, and to add Arthur Avenue\*, Bernice Street, High Street, Miller Street, and North Broad Street\*; §264-101 (Schedule XXVI: Parking Prohibited Between November 1 and April 1) to delete November 1 and replace it with December 1, in the title and the section, and to delete April 1 and replace it with March 31, in the title and the section; to schedule a public hearing on said local law on March 7, 2017 at 7:35 p.m. and to authorize publication of notice of said public hearing was made by Trustee King and seconded by Trustee Walker.

Motion Carried - Vote:

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

#### **PUBLIC SAFETY**

**FIRE (Trustees Balles & Walker)** – No new business



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**POLICE (Trustees Balles & Walker)** – No new business

**PUBLIC WORKS (Trustees Balles & King)**

**Resolution #2017 - 35**

A motion to authorize the Mayor to sign an agreement with UHS for the Baldwin Street Water Main Construction in a form acceptable to counsel was made by Trustee King and seconded by Trustee Walker.

Motion Carried - Vote:

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

**Resolution #2017 - 36**

A motion to authorize the Mayor to sign an agreement with Shumaker Consulting Engineering & Land Surveying for Engineering Services for the Baldwin Street Water Main Replacement was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried - Vote:

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

**Resolution #2017 - 37**

A motion to authorize the advertisement for bids for the New York Avenue Reconstruction from Clarendon Street to Arlington Street was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

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

**Resolution #2017 - 38**

A motion to authorize the advertisement for bids for the Arch Street and Faatz Alley Reconstruction was made by Trustee Balles and seconded by Trustee King.

Motion Carried - Vote:

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

**Resolution #2017 - 39**

A motion to authorize the advertisement for bids for the Baldwin Street Storm Sewer Separation Project was made by Trustee Balles and seconded by Trustee Meaney.

Motion Carried - Vote:

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

**RECREATION (Trustees Balles & King)** – No new business

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

**JOINT SEWAGE TREATMENT BOARD (Trustees Meaney & King)**

**Resolution #2017 - 40**

A motion to authorize the transfer of \$115,000.00 from Contingency (line J8130.55000) and increase Office Lease (line J8130.54511) to allow for the leasing of office space in order to





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allow the administrative building to be vacated for demolition to make way for the solids handling construction was made by Trustee King and seconded by Trustee Meaney.

Motion Carried - Vote:

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

*The Binghamton-Johnson City Joint Sewage Board resolved to transfer \$115,000 from Contingency to Office Lease because of unbudgeted expenses that will be incurred due to the current admin building needing to be vacated so that construction for solids handling structures can be placed on the site. The new administration building is in early construction but will not be ready.*

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

Mayor Deemie opened the second privilege of the floor.

*Carol Laskoski, Edward Street* – Asked what the reconstruction plan for Faatz Alley is. Stated that it is not an alley anymore. Mayor Deemie explained that there is sidewalk, curbs, and street work in conjunction with the pharmacy school.

*Rob Egan, Plymouth Street* – Asked when the Code Enforcement Report will be available. Mayor Deemie stated that it has been given to the Board so it is available now. People will need to submit a FOIL request for a copy of it.

Mayor Deemie closed the second privilege of the floor.

### **ADJOURNMENT**

Mayor Deemie adjourned the meeting at 8:39pm.

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. 2 FOR THE YEAR 2017

#### 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:

**§ 264-87 Schedule XII: Parking Prohibited at All Times.**

A. No parking anytime. In accordance with the provisions of § 264-21, no person shall park a vehicle at any time upon any of the following described streets or parts thereof:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Overbrook Road	North	Entire length

B. Remains the same.

*[The remainder of this section remains the same]*

**§ 264-100 Schedule XXV: Red-Line Streets.**

In accordance with the provisions of § 264-33B, the following streets or parts of streets\* shall be considered red-line streets. "Red-line streets" are those which are designated by signs as only allowing one-side parking. Alternate-street parking regulations shall not supersede posted parking regulations:

**Name of Street**

**\*Part of street is red line.**

*Delete the following:*

Franklin Street  
North Broad Street

*Insert the following:*

Arthur Avenue\*  
Bernice Street  
High Street  
Miller Street  
North Broad Street\*

*[The remainder of this section remains the same]*



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### § 264-101 Schedule XXVI: Parking Prohibited Between November 1 and April 1.

In accordance with the provisions of § 264-32, parking shall be prohibited between November 1 and April 1 on the following described streets or parts of streets:

This Title shall be amended as follows:

*Delete: November 1; Replace with: December 1*

*Delete: April 1; Replace with: March 31*

This Section shall be amended as follows:

*Delete: November 1; Replace with: December 1*

*Delete: April 1; Replace with: March 31*

*[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.