



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING
243 MAIN STREET • JOHNSON CITY, NY 13790
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Village Board

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

Minutes of a Work Session of the Johnson City Village Board held at 5:30pm on Tuesday, April 4, 2017 in the Municipal Building, 243 Main St., Johnson City

Present: Gregory Deemie, Mayor
 Richard Balles, Trustee
 John Walker, Trustee
 Martin Meaney, Trustee

Absent: Bruce King, Deputy Mayor

Also Present: Cindy Kennerup, Village Clerk/Treasurer
 Jeff Jacobs, Attorney for the Village

The Board met with Dan Feduke from the Plumbing Board to discuss several issues with the Plumbing Board. The Mayor explained that in light of the recent resignations of Sean Fitzgerald and Scott Kocan and the pending resignation of Rick Holden member, the Trustees wanted to know where we are with the Plumbing Board. The Board has been without an Engineer for several years and we have been unable to find one who is willing to sit on the Plumbing Board. Mayor Deemie stated that the Plumbing Board has been giving the plumbing test and as far as we know, the Village of Endicott is no longer giving the test and Binghamton is now giving the test through Prometrics. We do have a reciprocal agreement with Binghamton for licensing so the question is, where do we go from here. Trustee Walker asked why the members are resigning. Mr. Feduke explained that Mr. Holden has other obligations that have arisen and has missed the last 3 or 4 meetings. For the other 2 – there is something coming up regarding a one-time license that they Mayor proposed to them. Mayor Deemie explained that the Board did discuss the fact that they wanted to put something in the Plumbing Code similar to what the Master Electricians do where they can come in and get a license for a single job. He did discuss it with our Attorney, Jeff Jacobs. Trustee Meaney stated that he went through the minutes of the meetings and it was never discussed. They were asked to review it but it was not discussed. Mayor Deemie stated that he knows it was brought before the Board and he passed it through legal. Trustee Walker stated that he does not recall discussing it either. Mayor Deemie stated that he will go back and look. He knows that were e-mails regarding this and nothing has been done with it yet. It is just in the talking stages. He discussed it with the Plumbing Board and they said they wanted to come to the Village Board to talk about some issues and but before they appeared, the 2 members resigned. Trustee Walker asked if this was the reason they resigned. Mayor Deemie stated Fred Kocan is now working different hours and he can't make the meetings now. Mr. Feduke stated that is correct. Mayor Deemie stated Mr. Fitzgerald has issues with the proposal. Mr. Feduke showed the Board copies of documents they have sent the Board in the past and they feel like it falls on deaf ears. He stated that Trustee King met with them before and Mayor Deemie stated that Trustee Meaney met with them too last year. Trustee Meaney stated that Mr. Feduke and Mr. Kocan came in and meet with the Board since then and a lot of these issues were addressed. Mr. Feduke explained that the issue of water heaters and water softeners is a big issue for them and it has been dismissed. Trustee Walker stated that a water heater has to be done by a licensed plumber. Mr. Feduke and Mayor Deemie stated not



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anymore and explained that a plumbing permit is needed but a homeowner can install their own heater. That was changed a long time ago when Code Enforcement was still here. Mr. Feduke explained some issues that he has seen over the years with people doing their own work. Attorney Jacobs explained that a permit is still needed and the work must be inspected. (Mayor Deemie stated that Trustee Meaney may be correct that the one-time license was not discussed at length in a work session but he read an e-mail he sent to the Board regarding the issue.) Mayor Deemie stated that regarding the water heaters, that is a change to the code and there must have been a public hearing. Attorney Jacobs stated that yes there was. Mayor Deemie asked if Mr. Feduke knew of any people to sit on the Plumbing Board and they reviewed the criteria for members. Trustee Meaney stated that, after thinking about it, with all of the development going on in the Village he is not in favor of the one-time license and out of town plumbers being allowed to come in and take jobs from local plumbers. Trustee Walker agreed. The Board then discussed the testing of plumbers and the eligibility requirements for testing and the 2 most recent applicants for the test. The Board also discussed the IMA with Binghamton for licensing. Trustee Balles asked what the Town of Union does. Mr. Feduke stated that a license is not required in the Town. The Board discussed the differences between the test the Village gives and the testing Binghamton does through Prometrics.

Mr. Feduke stated that Mr. Kocan thought that the IMA with Binghamton and Endicott was voided. Attorney Jacobs stated no, Endicott just stopped doing the testing and licenses but did not change their local law to his knowledge. Not that long ago the Village, by resolution, clarified the agreement with Binghamton regarding testing and the reciprocity of the licenses. Mayor Deemie stated that we need to decide where we go from here. Trustee Walker asked if we should talk to Mr. Fitzgerald to see if he would reconsider. Mayor Deemie stated that the first thing we need to do is get a plumbing board back together. Mayor Deemie stated that he will reach out to Mr. Fitzgerald. The Board also explained that the purpose of the plumbing board is testing and licensing. Trustee Meaney asked what we can do as a board – should we temporarily suspend the reciprocity with Binghamton until we get the testing figured out? Mayor Deemie stated that we could do that. Mayor Deemie commented on the issue of plumbers “selling” their licenses. Trustee Meaney stated that is something we should act on, suspend their license. Mayor Deemie explained that we have to catch them first. Trustee Meaney stated that Code needs to step up. Mayor Deemie stated that he will talk to Attorney Jacobs about suspending the IMA for now. Trustee Meaney stated that he was told that when the plumbing inspector is working, he is being asked to do things that are outside the scope of his job. Mayor Deemie stated that he will talk to the plumbing inspector. Trustee Meaney asked if we are bound to having a Plumbing Board. Attorney Jacobs stated that according to the code we need to have one. If the Board wants to change that, we can amend the code. Mr. Feduke handed out a packet of information about what it means to be a licensed plumber.

The Board met with Chuck Shager, City of Binghamton Comptroller to revisit Resolution #2016-99 (Amend the Binghamton–Johnson City Joint Sewage Treatment Plant Facilities Intermunicipal Agreement X (Master IMA) to share expenses for project management service, project analyst, and project assistant services). Trustee Meaney stated the resolution was voted down. Mayor Deemie stated that he thought it was tabled. Mr. Shager reviewed some contracts that the City has executed over the few years. Mr. Shager explained that there has been a good working relationship for 50 – 60 years and explained the funding for the positions that were filled by the City. Mr. Shager stated the some items they have done have benefited the Village financially as the co-owner of the plant. It was not in the plans to do a long term bond. He spoke to EFC to arrange that. He sent something to Tom Johnson about getting the Village Back \$500,000.00 and asked that the Village send them an invoice before the end of the fiscal year. It is an overpayment of funds from the final billing. Trustee Meaney



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stated that when Mayor David came to speak to them he explained that the positions would be paid for by the City and the Village. Mr. Shager explained that the expenses will be shared with all the users. Mr. Shager also explained what can be charged to the bond ordinance. Trustee Meaney stated that there is no sunset on those positions. Mr. Shager stated that he has no problem with putting in a sunset. Trustee Meaney stated it should be upon completion of the project and expressed concern that the positions, over time, may still be being funded by the users but may not be being used for the original intent. Mayor Deemie stated that he is fine with that. Trustee Meaney stated that he would also rather wait until Trustee King was present for his input. Mayor Deemie agreed. Mr. Shager stated that he will provide the Village with updated figures for the positions. Mayor Deemie stated that we will put a new resolution on a future agenda.

The Board reviewed the agenda and the resolutions.

Trustee Meaney stated that he spoke to the coach of the Seton Girls Varsity Basketball team and she will be getting him information soon.

Abstract #18 – Trustee Meaney asked when did he file a FOIL. Mayor Deemie stated the e-mail request. Trustee Meaney stated that according to NYCOM, it is not a FOIL. That is why he asked for the documents, so there would be no costs incurred and he feels that it is unfair that there is a cost incurred with this. Mayor Deemie stated how could there be no costs incurred, the information needs to be redacted. Trustee Meaney stated that it doesn't need to be redacted, he is a member of the board and it is clear in NYCOM's booklet. Mayor Deemie stated he called NYCOM and talked to legal counsel there and they said that we had every right to do that because there could be information in those e-mails that is not pertinent to what he needs to do in his position starting January 1, 2016. Trustee Meaney asked for their phone number. Mayor Deemie stated that he spoke to John Mancini. Trustee Meaney stated this has been going on since March of last year and this is the first time the Mayor has given him that answer. Trustee Meaney stated that he respectfully requests that all research into this stops until we get an answer. He never wanted this to be a tax payer funded issue. It was to look into what we were getting as a service, to hopefully save taxpayer dollars, not spend them. Never was that a FOIL request. Mayor Deemie stated that legal had to look into it, we had to file it under something. It was a request of tens of thousands of e-mails. Mayor Deemie stated that Trustee Meaney requested numerous e-mails from former trustees, former Mayor, former Fire Administrator and legal counsel back to 2007. Trustee Meaney stated that if the information impacts his decision making moving forward he is entitled to that information. Mayor Deemie stated that he doing what he feels is in the best interest of the taxpayers and protecting their rights. Mayor Deemie and Trustee Meaney continued to debate back and forth regarding this. Mayor Deemie instructed Attorney Jacobs to stop working on the e-mail request until we have some resolution on this.

Trustee Balles asked for clarification as to what Tyler Fire Service is. Trustee Walker and Mayor Deemie explained that is where we get fire equipment from.

Regarding Verizon I-Pads - Trustee Meaney stated that they were all in the water department, not broken out. Clerk/Treasurer Kennerup stated that she will look into it.

Trustee Meaney asked for clarification regarding the billing for salt. Clerk/Treasurer Kennerup stated that she asked Laurie Schultz in DPW about that and she wasn't able to explain it to her.



Trustee Walker asked for clarification about a blanket for Walmart. Mayor Deemie and Clerk/Treasurer Kennerup explained what a blanket purchase order is.

Attorney Jacobs reviewed the proposed local laws.

Resolution #2017-57 – 16 North Harrison Street. Attorney Jacobs explained that this is one of our flood houses that was foreclosed on. Trustee Meaney asked if we can use the land for something like a community garden. Mayor Deemie stated yes. Mayor Deemie stated that he did check with Diane Busko and there are more than enough funds left in the flood buyout program to purchase and demolish this house.

Trustee Meaney asked what the plans are for the former BAE site in Westover. Trustee Walker explained the plan is to fill the property in above the flood plain and then put in retail, commercial, residential.

Trustee Walker asked about the property at 171 North Broad Street. Mayor Deemie stated that turned that over to Code Enforcement. Trustee Meaney asked if the taxes are in arrears. Mayor Deemie stated that he will need to check.

EXECUTIVE SESSION #1

A motion to enter into executive session at 6:50pm to discuss personnel in the Fire Department was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

A motion to exit the executive session at 7:00pm was made by Trustee Walker and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

EXECUTIVE SESSION #2

A motion to enter into executive session at 7:01pm to discuss a law suit regarding the Police Department was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

A motion to exit the executive session at 7:10pm was made by Trustee Balles and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

EXECUTIVE SESSION #3

A motion to enter into executive session at 7:11pm to discuss personnel in the Police Department was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

A motion to exit the executive session at 7:12pm was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

The Board reviewed the upcoming budget meetings and public hearing schedule.



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ADJOURNMENT

The work session was adjourned at 7:17pm.

Cindy Kennerup

Cindy Kennerup
Village Clerk/Treasurer

CK/db

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