



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING
243 MAIN STREET, JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Bruce King, Deputy Mayor

Richard Balles, Trustee Clark Giblin, Trustee John Walker, Trustee

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, March 6, 2018 in the Municipal Building, 243 Main Street, Johnson City

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

Absent: Clark Giblin, Trustee

Also Present: Cheryl Sacco, Legal Counsel
 Cindy Kennerup, Clerk/Treasurer
 Rebecca Kaufman, Director of Public Health

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits.

Rebecca Kaufman, Broome County Director of Public Health gives the highlights of Jason Garnar's State of the County address. The theme is building a better Broome County. She discusses the following topics of County Executive Garnar's speech: finances, jobs, Greater Binghamton Fund, public safety, school safety, heroin epidemic.

MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, March 20, 2018 at 7:30pm with a work session at 5:30pm.
- [2] The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, March 13, 2018 at 3:00pm at Johnson City Village Hall.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of February 20, 2018 regular meeting and work session and the minutes of February 21, 2018 special meeting was made by Trustee Balles and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

BIDS – None

PUBLIC HEARINGS

- [1] Local Law Amending Article 69 of Chapter 300 of the Village Code entitled “Review and Decisionmaking Bodies”

Mayor Deemie opened the public hearing.

Julie Deemie, Zoa Ave - What is this for?

Mayor Deemie explains the amendment to Article 69 of Chapter 300 regarding Decisionmaking Bodies is so we can add two alternates to the planning and zoning boards.

Mayor Deemie closed the public hearing.

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Mayor Deemie discusses 59 Lester and the County Executive putting a clawback clause in contract.

Don Slota, Eldridge Ave - Is the sewage meeting open to the public?

Mayor Deemie confirms it is open to the public. It is downstairs in the training room.

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 Balles. The motion carried with all those present voting in the affirmative.

- [1] Correspondence from Town of Union dated January 24, 2018 regarding Joint Code Enforcement Committee.

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 February 21, 2018 Town of Union Board Meeting.

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] Fire Department Overtime Report for the weeks of February 8 – February 21, 2018
- [2] Police Department Overtime Report for the weeks of February 8 – February 21, 2018
- [3] Department of Public Works Overtime Report - February 2018

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #16 of the 2017 – 2018 fiscal bills, having been audited by the Board and approved, was made by Trustee King and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 549,041.05
WATER FUND	\$ 60,613.58
SEWER FUND	\$ 9,420.38
REFUSE FUND	\$ 29,571.82
JSTP	\$ 2,332,836.95

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 1 (Giblin)

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2018 – 46

A motion to approve the following resolution was made by Trustee Balles and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 1 (Giblin)

WHEREAS, the Village of Johnson City scheduled a public hearing for March 6, 2018 at 7:35 p.m. for Local Law No. 2 of the year 2018 entitled “A LOCAL LAW AMENDING ARTICLE 69 OF CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘REVIEW AND DECISIONMAKING BODIES’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

WHEREAS, said public hearing was duly held at Village Hall, 243 Main Street, Johnson

City, New York on the 6th day of March, 2018 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 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Law constitutes an Unlisted Action, as defined under said regulations. The Village Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the Local Law; 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 hereby adopts said Local Law as Local Law No. 2-2018 entitled “A LOCAL LAW AMENDING ARTICLE 69 OF CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘REVIEW AND DECISIONMAKING BODIES’”, a copy of which is attached hereto and made a part hereof; and

BE IT FURTHER 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

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

Discussion: Trustee Walker asks if payment of these alternate members will be on per diem? Mayor Deemie says it has not been decided yet. It will come before the board.

Resolution #2018 – 47

A motion to approve the following resolution introducing proposed Local Law No. 3 was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 1 (Giblin)

WHEREAS, a local law, being proposed as Local Law No. 3 of 2018, entitled “SOLAR ENERGY SYSTEMS LOCAL LAW” a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on April 17, 2018, at the Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Discussion: Trustee King questions why the hearing is so far away. Attorney Sacco explains she needs 30 days.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) - No new business

POLICE (Trustees Balles & Walker)

Resolution #2018 – 48

A motion to appoint Aaron Smith to the position of Police Officer, filling a vacancy created through the COPS grant, at the salary of Grade 3 as determined by the CBA, effective March 15th, 2018 was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays – 0** **Absent – 1** (Giblin)

Resolution #2018 – 49

A motion to appoint Darren Hannon to the part-time position of Desk Clerk for the Johnson City Police Department at a starting salary of \$16.25/hour to be effective on March 8th, 2018 was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays – 0** **Absent – 1** (Giblin)

Discussion: Person previously in position broke his femur so he will be out for quite some time. Putting Darren in this position, there will be no training since he has an understanding of the position.

PUBLIC WORKS (Trustees Balles & King)

Resolution #2018 – 50

A motion authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation Federal-aid project; and appropriating funds therefore was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays – 0** **Absent – 1** (Giblin)

WHEREAS, a Project of the resurfacing of Harry L. Drive from Valley plaza Drive to Oakdale Road, PIN 9754.09 (“the Project”) is eligible for funding under Title 23 U.S.

Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Village of Johnson City desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work.

NOW, THEREFORE, the Village of Johnson City Board, duly convened does hereby

RESOLVE, that the Village of Johnson City Board hereby approves the above subject project; and it is hereby further

RESOLVED, that the Village of Johnson City Board hereby authorizes the Village of Johnson City to pay in the first instance 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$54,000 is hereby appropriated from the Village of Johnson City budget line A5112.2 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Village of Johnson City Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Johnson City be and is hereby authorized to execute all necessary Agreements, certifications of reimbursement requests for Federal-aid and/or Marchiselli-aid on behalf of the Village of Johnson City with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Discussion: Trustee Walker explains we have appropriated money in our budget this year. Because this is state mandated, Mr. Bennett said we had to go through the resolution to appropriate the money to meet the state standards.

Resolution #2018 – 51

Authorizing the implementation, and funding in the first instance 100% of the Federal-aid and

State “Marchiselli” Program-aid eligible costs, of a transportation Federal-aid project; and appropriating funds therefore was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 1 (Giblin)

WHEREAS, a Project of the resurfacing of Reynolds Road from Overbrook Road to Deyo Hill Road, PIN 9754.17 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Village of Johnson City desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work.

NOW, THEREFORE, the Village of Johnson City Board, duly convened does hereby

RESOLVE, that the Village of Johnson City Board hereby approves the above subject project; and it is hereby further

RESOLVED, that the Village of Johnson City Board hereby authorizes the Village of Johnson City to pay in the first instance 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$135,000 is hereby appropriated from the Village of Johnson City budget line A5112.2 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Village of Johnson City Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Johnson City be and is hereby authorized to execute all necessary Agreements, certifications of reimbursement requests for Federal-aid and/or Marchiselli-aid on behalf of the Village of Johnson City with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality’s first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

RECREATION (Trustees Balles & King) - No new business

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

JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King) - No new business

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Carol Laskowski, Edwards Street- Building on Corner of Floral and Willow. Back door is completely gone. The windows are terrible and anyone can crawl in there. Mayor Deemie confirms it is 145 Floral. He will send a message to code to have them make sure it is secure.

Don Slota, Eldridge Ave - House at 226 Baldwin that they wanted to change from 8-12 apartments. Doors and windows on first floor were boarded over and it looks as if the plywood has been removed. The Mayor will also make code aware of this.

Also is Floral Ave going to be repaved? Mayor Deemie will talk to Bob Bennett and see what the schedule is.

Martin Meaney, Weymouth Lane - In regard to the Resolution 2018-20 - Greater Binghamton Fund, will the Village have to put any money out for these projects? Mayor Deemie responds possibly. There is a meeting on 3/8/18 to discuss the projects. He has concerns about 258 Main Street, regarding the easement, closing the sidewalk and using the public lot for their equipment.

Compliments on public works – stellar as always.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:08pm.

Cindy Kennerup
Village Clerk/Treasurer

CK/kc

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