



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, April 17, 2018 in the Municipal Building, 243 Main Street, Johnson City

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

Absent: None

Also Present: Cheryl Sacco, Legal Counsel
 Cindy Kennerup, Clerk/Treasurer

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

MAYOR'S ANNOUNCEMENTS

- [1] Special Meetings in regard to the budget will be held on Thursday, April 19th at 6pm, Tuesday, April 24th at 6pm and Wednesday, April 25th at 6:00pm at Village Hall, First Floor Training Room.
- [2] The next regular Village Board Meeting will be Tuesday, May 1, 2018 at 7:30pm with a work session at 5:30pm.
- [3] The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, May 8, 2018 at 3:00pm at Johnson City Village Hall.
- [4] Saturday, April 28, 2018 Library Luncheon, \$18 tickets can be purchased from the Friends of the Library.

APPROVAL OF BOARD MINUTES

- [1] Minutes of April 3, 2018 regular meeting and work session.
- [2] Minutes of April 5, 2018 budget meeting #1.
- [3] Minutes of April 7, 2018 budget meeting #2.
- [4] Minutes of April 9, 2018 budget meeting #3.
- [5] Minutes of April 10, 2018 budget meeting #4.

[4.6] Minutes of April 12, 2018 budget meeting #5.

A motion to approve the minutes was made by Trustee Walker and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

BIDS – None

PUBLIC HEARINGS

[1] Tentative 2018-2019 Budget of the Village of Johnson City.

Mayor Deemie opened the public hearing. There being no one wishing to speak, Mayor Deemie closed the public hearing.

[2] Local Law #3-2018 entitled “SOLAR ENERGY SYSTEMS LOCAL LAW”

Mayor Deemie opened the public hearing.

Gay Canough, Woodford Ave, Endicott – ETM Solar Works. She checked into the surety bond and she cannot find a company that will bond for less than 20%.

Attorney Sacco confirms we can change the wording to include not less than 20%.

Mayor Deemie questions Gay Canough about looking into Gross Receipts Tax and whether she is considered a utility. He will have legal look into.

Carol Laskowski, Edward St. – Is this any connection to a wind farm in Conklin?

Mayor Deemie responds there is a wind farm in Windsor, but mostly Sanford. Different energy, this is solar.

Mayor Deemie closed the public hearing.

[3] Local Law #4-2018 entitled “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C – FISCAL YEAR 2018/2019”

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.

Gay Canough – For a minor solar project, do we apply to the Planning Board?

Attorney Sacco states that she would contact Dee at the Town of Union.

Julie Deemie, Zoa Ave, – Am I allowed to present a flower sale for flower sales for JC Partners?

Mayor Deemie responds yes.

Mrs. Deemie explains the flower sale. JC Partners have partnered with a great agency called

Care First, they do hospice care and help with breathing for cancer patients and their families. We are selling geraniums for \$4 per plant and are asking if you purchase a plant, the JC Partners will plant it in a Johnson City Park in memory or in honor of a loved one. This will take place through May 10, 2018.

Also, from Floral to Division is it on the radar for patching? It needs immediate patching.

Mayor Deemie confirms the JC Partners Volunteer Appreciation event is this Thursday from 6pm-8pm.

Corinna Johnson, Cook St. – The JC Partners are recognizing volunteers in the Village of Johnson City and there is a volunteer appreciation event Thursday at the Johnson City Police Department Building, 2nd Floor.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS – None

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/Board Report was made by Trustee King and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

- [1] Minutes of the April 4, 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 March 22 – April 4, 2018
- [2] Police Department Overtime Report for the weeks of March 22 – April 4, 2018
- [3] DPW Overtime Report for March 2018
- [4] DPW & Water Monthly Report – March 2018

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #19 of the 2017 – 2018 fiscal bills, having been audited by the Board and approved, was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 116,128.99
WATER FUND	\$ 24,162.03
SEWER FUND	\$ 620,312.04
REFUSE FUND	\$ 20,218.58
JSTP	\$ 174,321.74

Motion Carried – Vote:

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

UNFINISHED BUSINESS - None

NEW BUSINESS

Resolution #2018 – 64

A motion to approve the following resolution with amendments was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

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

WHEREAS, the Village of Johnson City scheduled a public hearing for April 17, 2018 at 7:35 p.m. for Local Law No. 3 of the year 2018 entitled “SOLAR ENERGY SYSTEMS LOCAL LAW”; 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 17th day of April, 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 e 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. 3-2018 entitled “SOLAR ENERGY SYSTEMS LOCAL LAW”, 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.
was made by Trustee King and seconded by Trustee Giblin.

Resolution #2018 – 65

The resolution was held over by Trustee King.

WHEREAS, the Village of Johnson City scheduled a public hearing for April 17, 2018 at 7:40 p.m. for Local Law No. 4 of the year 2018 entitled “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C – FISCAL YEAR 2018/2019”; 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 17th day of April, 2018 at 7:40 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 of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; 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. 4-2018 entitled “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C – FISCAL YEAR 2018/2019”, 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.

Resolution #2018 – 66

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

Motion Carried – Vote:

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

WHEREAS, a local law, being proposed as Local Law No. 5 of 2018, entitled “A LOCAL LAW AMENDING CHAPTER 200 OF THE VILLAGE CODE ENTITLED ‘PLUMBING CODE’”, 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 May 1, 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.

Resolution #2018 – 67

Motion to declare the Village’s metal detector as surplus with no market value; and to sell said metal detector to the Town of Vestal for \$1, as is; so long as the Town of Vestal removes and transports the metal detector and agrees to indemnify in writing and defend the Village of Johnson City regarding the metal detector, its use and condition was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried – Vote:

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

Resolution #2018 – 68

Authorize reduction of November-February water bill in the amount of \$213.72 to Catherine Kocich at 17 Berwin Street.

Motion Failed – Vote:

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

FINANCE & RULES (All Board Members) - No new business

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) - No new business

POLICE (Trustees Balles & Walker) - No new business

PUBLIC WORKS (Trustees Balles & King)

RECREATION (Trustees Balles & King) - No new business

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

JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)

Resolution #2018 – 69

A motion to authorize the enactment of legislation to accept FEMA settlements relating to 4031-PW2504v0 & v1, 2507, 2512, 2555, 2268 and 2573 in the amounts of \$1,888,662.23 (Check No.

06233779) and \$1,353,231.13 (Check No.. 06237760) for a total of \$3,241,893.36 and increasing 2017 Budget appropriations to allow payment of the full \$3,241,893.36 to the Owners was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

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

Discussion: Trustee Walker states when these checks come in, this money goes right back on the bond for the sewer plant. Trustee Giblin explains this was State FEMA money that was owed to us for quite some time.

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Carol Laskowski, Edwards St – Resolution 69, is the Village benefitting from this or are homeowners still getting money.

Mayor Deemie states it is money we borrowed for the rebuild that is being paid against our debt.

Don Slota, Eldridge Ave – When are we going to find out about the new sewer rates?

Trustee King states the sewer rates are the amount you pay for the sewer in the Village. It has nothing to do with the sewer plant.

Mayor Deemie explains when we have to start paying the debt, your bill will be affected.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 7:51pm.

Cindy Kennerup

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.