



## VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET, JOHNSON CITY, NY 13790

[www.villageofjc.com](http://www.villageofjc.com)

### Village Board

Gregory Deemie, Mayor

Bruce King, Deputy Mayor

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

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### Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, May 15, 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]    The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, June 12, 2018 at 3:00pm at Johnson City Village Hall.
- [2]    The next regular Village Board Meeting will be Tuesday, June 19, 2018 at 7:30pm with a work session at 5:30pm.
- [3]    Johnson City Rotary First Annual Tree Peony Festival on Sunday, May 27, 2018 11:00am to 5:00pm.
- [4]    First third Thursday Classic Car Cruze In behind Village Hall on Thursday, May 17, 2018 from 5:00pm to 8:00pm.
- [5]    Memorial Day, May 28, 2018 - 7:30am ceremony at Calvary Cemetery, 8:00am ceremony at Floral Ave Cemetery, Memorial Day Parade at 10:00am.

#### **APPROVAL OF BOARD MINUTES**

- [1]    Minutes of May 1, 2018 regular meeting and work session.

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

**BIDS** – None

## **PUBLIC HEARINGS**

- [1] Local Law #5-2018 amending Chapter 264 of the Village Code entitled “VEHICLES AND TRAFFIC”

Mayor Deemie opened the public hearing.

*Carol Laskowski, Edwards St, - What is this all about?*

*Discussion:* The Mayor explains it is to clean up some wording regarding no stopping, no standing and no parking. We are going to create a no parking situation on Elfred St. East side, 120 feet to Riverside Drive. Davis College apartment building is on the corner. Also, on Arch Street, West side of roadway starting 139 feet from Faatz Alley, continuing two parking spaces for the police cars.

Mayor Deemie closed the public hearing.

- [2] Local Law #6-2018 amending Chapter 236 of the Village Code entitled “SOLID WASTE”

Mayor Deemie opened the public hearing.

*Carol Laskowski, Edwards St, - Can you explain?*

*Discussion:* The Mayor explains this is in regards to the refuse rates. They will be going from a minimum of \$66 quarterly to a minimum of \$70 quarterly. Commercial use will be a minimum of \$119.

Mayor Deemie closed the public hearing.

- [3] Local Law #7-2018 amending Chapter 270 of the Village Code entitled “WATER”

Mayor Deemie opened the public hearing.

*Discussion:* The Mayor explains we are making a change for the water rates. The first 1,000 cubic feet or less will be \$40 inside the Village and \$50 outside of the Village. For over 1,000 cubic feet it will be \$4.25 per 100 cubic feet and \$5.00 per cubic feet outside the Village.

Mayor Deemie closed the public hearing.

- [4] Local Law #8-2018 amending Chapter 222 of the Village Code entitled “SEWERS AND SEWAGE DISPOSAL”

Mayor Deemie opened the public hearing.

*Discussion:* The Mayor states this has nothing to do with the Sewage Treatment Plant it is to keep up with costs for the sewer; the first 1,000 cubic feet or less is minimum of \$50 and over 1,000 cubic feet is \$5.25 per 100 cubic feet of water supplied.

Mayor Deemie closed the public hearing.

**PETITIONS RECEIVED** – None



**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the first privilege of the floor.

*Dave Tripicco, Jay Street*, – Has lived in the Village, loves the Village and has worked for the Village. He has had a problem for the last 12 plus years. The owners at 61 Louise St (3 owners, 1 renter to own). Has talked to several people over the years including code officers and they never get back to him. The problem is they have a flat stone wall in their backyard that goes along his driveway. It has been falling over the years and his driveway is sliding. He would like something done about this. He has also talked to the 3 owners.

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

- [1] 30-Day Advanced Notice to Local Municipality for Broad Street Enterprises, LLC
- [2] 30-Day Advanced Notice to Local Municipality for Wegmans Food Markets, Inc.

**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 May 2, 2018 Town of Union Board Meeting.

**DEPARTMENT REPORTS**

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

- [1] Fire Department Overtime Report for the weeks of April 19 – May 2, 2018
- [2] Police Department Overtime Report for the weeks of April 19 – May 2, 2018
- [3] DPW Overtime Report for April 2018

**PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #21 of the 2017 – 2018 fiscal bills, having been audited by the Board and approved, was made by Trustee Balles and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 1,447,709.54
WATER FUND	\$ 476,730.86
SEWER FUND	\$ 191,922.95
REFUSE FUND	\$ 229,238.62
JSTP	\$ 746,848.53

Motion Carried – Vote:

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

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

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

**Resolution #2018 – 80**

A motion to authorize a parade permit to be issued to the VFW Alfred & Henry Michalovic Post 2332 and the Frank A. Johnson American Legion Post 758 to hold a Memorial Day Parade on May 28, 2018 starting at 10:00am at Ozalid Road to Main Street traveling west to the Gazebo for a formal ceremony subject to providing the appropriate liability insurance and coordination with the Village Police Department and the Department of Public Works 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:* Besides the parade, there are ceremonies at 7:30am at Calvary Cemetery and 8:00am at Floral Ave Cemetery

**Resolution #2018 – 81**

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

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 May 15, 2018 at 7:35 p.m. for Local Law No. 5 of the year 2018 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 sign board; and

**WHEREAS**, said public hearing was duly held at Village Hall, 243 Main Street, Johnson City, New York on the 15th day of May, 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 the State Environmental Quality Review Act (“SEQRA”), it has



been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(16) and (27); 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. 5-2018 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

**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 – 82**

A motion to approve the following resolution 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 May 15, 2018 at 7:40 p.m. for Local Law No. 6 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 236 OF THE VILLAGE CODE ENTITLED ‘SOLID WASTE’”; 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 15th day of May, 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. 6-2018 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘SOLID WASTE’”, 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 – 83**

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**, the Village of Johnson City scheduled a public hearing for May 15, 2018 at 7:45 p.m. for Local Law No. 7 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘WATER’”; 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 15th day of May, 2018 at 7:45 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. 7-2018 entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘WATER’”, 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 – 84**

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



Trustee Giblin.

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 May 15, 2018 at 7:50 p.m. for Local Law No. 8 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 222 OF THE VILLAGE CODE ENTITLED ‘SEWERS AND SEWAGE DISPOSAL’”; 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 15th day of May, 2018 at 7:50 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. 8-2018 entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘SEWERS AND SEWAGE DISPOSAL’”, 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 – 85**

A motion to authorize the Village Treasurer to make all budgetary adjustments to balance all Village operating accounts for the fiscal year ending May 31, 2018 was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

*Discussion:* Trustee King would like to see a copy of all transfers once completed. Mayor confirms this will be done.

**Resolution #2018 – 86**

A motion to authorize the Clerk/Treasurer to relevy the unpaid utility and other charges as of the June 1, 2018 tax roll in the amount of \$939,544.33 as detailed below was made by Trustee Balles and seconded by Trustee King.

Sign Licenses, False Alarms & DPW Handbills                      \$5,196.00

Water & Sewer Rents & Refuse Fees                                      \$934,348.33

Motion Carried – Vote:

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

**Resolution #2018 – 87**

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

Motion Carried – Vote:

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

**WHEREAS**, the Village of Johnson City, Board of Trustees desire to approve and accept the Draft Johnson City Health and Cultural iDistrict Revitalization Strategy from Bergmann Associates.

**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 draft strategy constitutes an TYPE II Action, as defined under said regulations 6 NYCRR 617.5(c)(18), (20), (21), and (27). As such, no further environmental review is necessary under SEQRA; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Strategy.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Draft Johnson City Health and Cultural iDistrict Revitalization Strategy from Bergmann Associates.

**Resolution #2018 – 88**

A motion to authorize the Mayor to sign an Agreement for Access and Preliminary Investigation Activities between the New York State Department of Environmental Conservation and the Village of Johnson City for the property located at Boland Park, 475 Boland Drive, Johnson City, New York was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

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



*Discussion:* The DEC reached out to the Village. They are doing undocumented studies on landfills. They want to do bore testings to make sure it is not contaminating the river. If they find any issues, we are on the hook to fix it.

**Resolution #2018 – 89**

A motion to acknowledging receipt of the 59 Lester Empire LLC application for rezoning, site plan, and variances, and referral of those application to the Village of Johnson City Planning for an advisory opinion on the rezoning of 59 Lester Ave, and that the Board of Trustees hereby consents to the Planning Board acting as Lead Agency for SEQRA purpose for the entire project 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:* Sarah Campbell of Hinman, Howard & Kattell and Isaac and Mark Parker of Keystone Associate passed out a rendering and discussed 59 Lester – a mixed use building with commercial use and residential use on the upper floors. Residential is age restricted for affordable senior housing. There will be income brackets available. They will require about 350 parking spaces. There is a lot of work to be done. Property is not zoned properly. Mayor Deemie confirms the project will be introduced in June and the public hearing will be in July.

**PUBLIC SAFETY**

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

**POLICE (Trustees Balles & Walker)**

**Resolution #2018 –90**

A motion to accept a grant from Broome County District Attorney’s Office in the amount of \$8,000 for Aid to JC Police for Violent Crimes cases was made by Trustee Walker and seconded by Trustee Balles.

Motion Carried – Vote:

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

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

**Resolution #2018 – 91**

A motion to appoint Damien Gardepe to the position of Water Distribution Operator-Trainee from Broome County Certified List #67-379 at a salary \$17.10 per hour effective June 4, 2018

contingent upon the successful completion of a background investigation and the required drug test was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

**Resolution #2018 – 92**

A motion to authorize the renewal of the contract for Curb & Gutter and Sidewalk Replacement Contract for Fiscal Year 2018-2019 with Tre-Gen Concrete Corporation was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

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

**Resolution #2018 – 93**

A motion to authorize the advertisement of bids for the purchase of hydrants and gate valves was made by Trustee Balles and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, 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 Giblin & King)**

**Resolution #2018 – 94**

A motion to authorize the enactment of legislation to transfer \$640,753.87 of existing funds from various Plant Capital lines into the existing Plant Outflow Periodic Dredging capital line for use in the WQIP Project of dredging and rechanneling the Susquehanna River and Fuller Hollow Creek outlet to their pre-flood(s) flow dynamics 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:* Sewer board called a special meeting to authorize monies for this budget line. Both the City of Binghamton and the Village of Johnson City said they needed to come up with their own funding.



**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.

*Corrina Johnson, Cook St.* – They are looking for volunteers for the Cruze In on Thursday. They are also looking for sponsorship for next year.

Mayor Deemie discusses questions from last meeting:

What is owed on the Justice Building? As of May 31, 2018, \$5,375,000 remains to be paid. Original issue was \$8,490,000 in 2005.

What is our debt? Last year we borrowed \$4,330,766 and paid off \$4,713,862. We paid off a little under \$400,000 more than we borrowed.

Mayor Deemie closed the second privilege of the floor.

**ADJOURNMENT**

Mayor adjourned the meeting at 8:09pm.

*Cindy Kennerup*

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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.