



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, July 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

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 US Army Corps of Engineers and NYSDEC will be holding a public meeting regarding the 12 Broome County levee systems on July 18, 2018, 6:30 pm – 8:30 pm at the Smart Energy Building at Binghamton University located at 85 Murray Hill Road in Vestal, NY
- [2] Johnson City Partners Cruze-In will be held from 5-8pm on Thurs., July 19th in the Village Hall Parking lot.
- [3] Carousel Day, CFJ Park, 11:00 a.m. – 6:00 p.m.
- [4] The Finance Committee of the Binghamton-Johnson City Joint Sewage Board will be Thursday, July 25, 2018 at 4:00pm at Johnson City Village Hall.
- [5] The next regular Village Board Meeting will be Tuesday, August 7, 2018 at 7:30pm with a work session at 5:30pm.
- [6] The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, August 14, 2018 at 3:00pm at Johnson City Village Hall.

APPROVAL OF BOARD MINUTES

- [1] Minutes of June 19, 2018 regular meeting and work session.

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] Local Law # 9-2018 Amending Chapter 258 of the Village Code Entitled “TOWING”

Mayor Deemie opened the public hearing.

Attorney Sacco explains the Local Law #9-2018 is an attempt to clean up our towing law specifically in regards to safety.

Don Slota, Eldridge Ave, – He questions the rates for towing.

Mayor Deemie responds we cannot regulate what they charge for towing. This is to regulate towing itself to make sure cars get moved safely out of the way. A resident can use anyone they want to tow a vehicle.

Mayor Deemie closed the public hearing.

[2] Local Law # 10-2018 entitled “LITTERING”

Mayor Deemie opened the public hearing.

Mayor Deemie explains we really didn’t have a littering law on the books, but explains fees and fines. With our new Community Action Team, we wanted to make sure there was a good law to go by that we didn’t have any technicalities to fine for littering. We fashioned it after laws of other municipalities.

Mayor Deemie closed the public hearing.

[3] Local Law # 11-2018 Amending Chapter 264 of the Village Code Entitled “VEHICLES AND TRAFFIC”

Mayor Deemie opened the public hearing.

Mayor Deemie explains this is in regards to parking on Lester Ave and Zoa Ave and snow plows getting through. It has been a safety concern.

Mayor Deemie closed the public hearing.

[4] Local Law # 12-2018 Amending the Village Zoning Map – Rezone 59 Lester Avenue

Mayor Deemie opened the public hearing.

We will not close this public hearing. We need to wait for the County to do a 239 review and environmental assessment, the Planning Board review and it will come back to us for the rezone.

Mayor Deemie will continue this public hearing.

PETITIONS RECEIVED

[1] Petition from Residents of Schulte Avenue, Johnson City, NY

[2] Petition from Residents of Nelson Road, Johnson City, NY

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Lisa Stachyra, Nelson Road – Submitted a Petition for Nelson Road.

John O’Connell – Problem of homeless and feral cats.

Attorney Sacco will look into this.

Wilma Vicks, Corliss Ave – the owners/neighbors at 287 Corliss Ave have developed a problem with hoarding, high grass, garbage and serious cockroach problem. They have gone to Code several times and Code has come inspect her home and observed cockroaches. She has called social services. The infestation is so bad. The neighbors have been cited to make sure garbage is contained. She just can’t deal with this anymore without someone’s help.

Mayor Deemie said he would look into it and see what we can do.

Jason Gardner of Binghamton Brewing Company – 4th Anniversary party and 5th Brew Fest is August 18, 2018 from 2pm – 10pm

Corrina Johnson, Cook St – National Night Out on August 9, 2018 from 5:30pm-7:30pm in lot by the Firehouse Stage.

Julie Deemie, Zoa Ave –Fireworks Application – Why is the application in the packet? It needs to have a footer or header on all pages.

Cat issue

Mayor Deemie responds they are approving the form itself. If anyone that wants to do fireworks they have to file this application. It is like a parks permit.

Corrina Johnson – Cat issue

Don Slota, Eldridge Ave, – Cat issue. Another problem is that people are feeding them.

Laurline Crampton, Riverside Dr. – Cat issue

Lisa Stachyra, Nelson Road – Addendum to Petition

Mayor Deemie responds regarding the storm sewer and water on Nelson Road.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS – None

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/Board Reports 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 June 27, 2018 Susquehanna Heritage Area Meeting.
- [2] Minutes of the June 20, 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 Giblin. The motion carried with all those present voting in the affirmative.

- [1] Fire Department Overtime Report for the weeks of June 14 – June 27, 2018
- [2] Fire Department Overtime Report for the weeks of June 28 – July 11, 2018
- [3] Police Department Overtime Report for the weeks of June 14 – June 27, 2018
- [4] Police Department Overtime Report for the weeks of June 28 – July 11, 2018
- [5] DPW Overtime Report for June 2018

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #2 of the 2018 – 2019 fiscal bills, having been audited by the Board and approved, was made by Trustee King and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 735,927.25
WATER FUND	\$ 198,830.97
SEWER FUND	\$ 21,468.39
REFUSE FUND	\$ 82,115.88
JSTP	\$ 3,079,731.13

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 – 119

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

WHEREAS, the Village of Johnson City scheduled a public hearing for July 17, 2018 at 7:40 p.m. for Local Law No. 9 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 258 OF THE VILLAGE CODE ENTITLED ‘TOWING’”; 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 July, 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. 9-2018 entitled “A LOCAL LAW AMENDING CHAPTER 258 OF THE VILLAGE CODE ENTITLED ‘TOWING’”, 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.

Motion Carried – Vote:

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

Resolution #2018 – 120

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 July 17, 2018 at 7:45 p.m. for Local Law No. 10 of the year 2018 entitled “A LOCAL LAW OF THE VILLAGE OF JOHNSON CITY ENTITLED ‘LITTERING’”; 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 July, 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. 10-2018 entitled “A LOCAL LAW OF THE VILLAGE OF JOHNSON CITY ENTITLED ‘LITTERING’”, 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 – 121

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 July 17, 2018 at 7:50 p.m. for Local Law No. 11 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 17th day of July, 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 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. 11-2018 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 – 122

This resolution is being held over.

Resolution #2018 – 123

A motion to approve an assessment reduction for 19 Arch St, Johnson City Tax ID#143.57-3-16 for John Stiloe and David Petryszyn due to a corrected assessment from last year’s order not reflected on the 2018-2019 year’s tax rolls. Amount of adjustment (-\$1,441.88) was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2018 – 124

A motion to approve an assessment reduction for Sidings Switches Etc., Johnson City Tax ID#001.RY-1-3 for Norfolk Southern Corporation due to correction from prior year’s assessment not brought forward onto the 2018-2019 year’s tax roll. Amount of adjustment (-\$294.59) was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2018 – 125

A motion to approve an assessment reduction for 41 Nassau St., Johnson City Tax ID#143.49-4-11 for Kathleen A. Engle and Robert W. Engle due to income calculation error resulting in wrong calculation of higher assessment. Amount of adjustment (-\$386.81) was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

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

Resolution #2018 – 126

A motion to approve assessment reduction for 14 Academy St, Johnson City Tax ID#143.33-2-

25 for Sharon A. Rogers due to a missed age exemption. Amount of adjustment (-\$259.03) 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 – 127

A motion to approve assessment reduction 25 Weymouth Ln., Johnson City Tax ID#127-10-2-34 for Brian Haynes and Kathleen Haynes due to corrected Veterans Exemption (-\$178.90) 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 – 128

A motion to remove the title of “Acting” and Appoint Janet Ottman permanently to the Susquehanna Heritage Area Commission to represent the Village of Johnson City was made by Trustee Balles and seconded by Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2018 – 129

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

Motion Carried – Vote:

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

As one of the few communities to officially adopt the Complete Streets Program we have been awarded \$20,000 through the “Creating Healthy Schools and Communities Grant” from the Broome County Health Department. So be it resolved that we accept the funding to be used to purchase concrete for new construction and/or reconstruction of sidewalks within the Village.

Resolution #2018 – 130

A motion to approve a request from Joe & Marie Lukasik, on behalf of the residents of Martin Avenue, to close Martin Avenue between Union Street and Riverside Drive on Friday, August 3, 2018 from 6:00pm – 11:00pm for the neighborhood’s annual Ice Cream Block Party contingent upon obtaining the required street permit and coordination with the DPW and Police Department

for the street closures was made by 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 – 131

A motion to authorize the Village of Johnson City to enter into a 6 month lease agreement for space at 267 Main Street, for a monthly lease amount of \$750.00 plus utilities, for space for grant funded Zombie Properties Committee activities, including but not limited to community outreach, education, and “Grow JC”, any such lease must be approved as to form by legal counsel, and the Mayor is authorized to execute the same thereafter 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: Trustee Balles explains that any money that is being paid out is under the grant through the Zombie project.

Resolution #2018 – 132

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

In accordance with New York State Penal Law, Motion to approve the attached Fireworks Application Form and to set the fee for any such application at \$50.00; review of such applications would be done by Code and Fire Departments as amended.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) - No new business

POLICE (Trustees Balles & Walker)

Resolution #2018 – 133

A motion to appoint Dylan Vandermark to the position of Police Officer effective August 2nd, 2018 from Broome County Civil Service list 62-594, filling a vacancy created by the retirement of Lieutenant David Hozempa, at the base starting salary per the current collective bargaining agreement was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2018 – 134

A motion to authorize the auction of the following Police Department property was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

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

- 1) 2012 Chevrolet Impala VIN 2G1WD5E33C1229062 (JCPD Car 713) – vehicle has motor and air conditioning problems which are not cost effective to repair.

Resolution #2018 – 135

A motion to approve a travel request for Cameron Hillman, Dan VanWie, Matthew Kushner and Mike Hepler to attend SWAT Training from Sept. 30 – Oct. 5, 2018 in Fort Drum, NY at a cost of \$1,650.00 from budget line A3120.4.930 was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

PUBLIC WORKS (Trustees Balles & King)

Resolution #2018 – 136

A motion to appoint Mark Buchanan to the position of Water Distribution Operator-Trainee from Broome County Certified List #67-379 at a salary \$17.10 per hour effective July 5, 2018 contingent upon the successful completion of a background investigation and the required drug test was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried – Vote:

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

Discussion: Already hired Mr. Buchanan. A couple people retired. He worked for us before and we were able to bring him back.

RECREATION (Trustees Balles & King) - No new business

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

JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Julie Deemie, Zoa Ave –Monthly Cruze-In is Thursday, July 19, 2018 from 5-8pm. It is aimed at helping to revitalize downtown Johnson City. She wants the Trustees to come and bring their families and show their support.

Corrina Johnson, Cook St. – Discussed the Cruze-In and the live music and great food.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:36 pm.

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.